

Exhibit 1

REPORTER'S RECORD
VOLUME 7 OF 9 VOLUME
TRIAL COURT CAUSE NO. D-1-GN-18-001835

NEIL HESLIN AND SCARLETT) IN THE DISTRICT COURT
LEWIS,)
Plaintiffs)
VS.) TRAVIS COUNTY, TEXAS
ALEX E. JONES AND FREE)
SPEECH SYSTEMS, LLC,)
Defendants) 261ST JUDICIAL DISTRICT

TRIAL ON THE MERITS

16 On the 3rd day of August, 2022, the
17 following proceedings came on to be heard in the
18 above-entitled and numbered cause before the Honorable
19 Maya Guerra Gamble, Judge presiding, held in Austin,
20 Travis County, Texas;

Proceedings reported by machine shorthand.

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I N D E X
VOLUME 7
TRIAL ON THE MERITS
AUGUST 3, 2022

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1 WEDNESDAY, AUGUST 3, 2022 - MORNING PROCEEDINGS

2 *(The following proceedings were held in open*
3 *court in the presence of the jury)*

4 THE COURT: All right, you may be seated.

5 Mr. Jones, you're on the witness stand,
6 sir.

7 All right, whenever you're ready,
8 Mr. Reynal.

9 Same instructions as yesterday, Mr. Jones.

10 ALEX E. JONES,

11 Having been duly sworn, testified as follows:

12 DIRECT EXAMINATION

13 BY MR. REYNAL:

14 Q. I would like to start today by explaining
15 some of the characters in this saga. Who are -- what
16 are truthers or the truth movement?

17 A. The truth movement started after the JFK
18 Assassination, where early on a large portion of the
19 public didn't believe the official story, there were a
20 lot of different conflicting accounts. And then it
21 additionally got its name in the media and culture after
22 9/11, when a lot of people, including a lot of officers
23 in the military and people, didn't buy all the official
24 story we were told. And it became a pejorative or an
25 insult by the corporate media to call people who

1 questioned big events "truthers."

2 And people kind of adopted that term and
3 said, okay, it's the truth movement. And so its
4 confidence has been lost, things like the Gulf of Tonkin
5 in '64, saying it was staged, attacks on our ships to
6 start the Vietnam war by LBJ, as that happened people
7 lost more and more confidence.

8 Until now you've got a spectrum, where
9 you've got people over here who would call themselves
10 "truthers" that don't think anything is real and they
11 just think everything is fake, and I think they're
12 crazy; and then you've got people that still question, I
13 would say I'm more in the middle and I've gone too far
14 in the other direction, as well, and I realized that
15 years ago.

16 And then you've got other people who are
17 just as crazy as the far end of the truthers who think
18 everything they're told are true and don't question
19 anything. In fact, in a way, that's probably even
20 crazier than thinking everything is fake.

21 And so, that's pretty much the best
22 description of what truthers are.

23 Q. Are you familiar with a man named Steve
24 Pieczenik?

25 A. Yes, I am.

1 Q. How long have you known him?

2 A. I've known him 21 years.

3 Q. And who do you understand him to be?

4 A. He ran psychological operations for the
5 State Department, the CIA, he ran the Camp David Accords
6 successfully, it's what he was first really known for.
7 He ran regime change in countries, he created the Tom
8 Clancy "Jack Ryan" character and wrote those books.
9 Jack Ryan is kind of who he is, it's his mind.

10 And he gave us a lot of information over
11 the years that turned out to be dead on and became a big
12 source of information. He also got us a lot of
13 connections in armed Special Operations, he gave us a
14 lot of intelligence that was really good, like the intel
15 when I said Russia will invade in late February and
16 October of last year, I got that from him, Special
17 Operations. So he's just been an incredible source that
18 was never wrong until he was the one that really pushed
19 me over the edge saying, no, it is staged and it -- I
20 really just believed him and I think he was wrong.

21 Q. How about Dr. James Fetzer?

22 A. I knew Fetzer, I had interviewed Fetzer
23 before Sandy Hook on his questions of 9/11. He had
24 written some books on that, seemed very cogent and
25 intelligent. And I -- I really didn't go off a lot of

1 his Sandy Hook stuff because I didn't read his book on
2 Sandy Hook, his book *Nobody Died At Sandy Hook*, which I
3 don't believe.

4 And we kind of had a falling out, because,
5 as he got a little more wild after 9/11, he was thinking
6 that they used the space-based weapons to disintegrate
7 the towers and I thought that was a little too much.
8 So, that was kind of where he was, so I didn't go that
9 much off him on Sandy Hook.

10 Q. And he was never on the show, was he?

11 A. Not on -- he was on about other things, not
12 that I remember, do a lot of shows, but not that I
13 remember about Sandy Hook.

14 Q. How about Dr. James Tracy?

15 A. He seemed credible. He was a university
16 professor, seemed very well spoken and I -- I believe he
17 was interviewed by some of the other shows on InfoWars,
18 I don't remember interviewing him. I remember seeing
19 some of his reports, reading some of his articles and
20 interviews.

21 Q. And last, a gentleman we've heard a lot
22 about, Wolfgang Halbig.

23 A. Yes, I did interview Wolfgang Halbig and he
24 seemed credible when I was first reading what he was
25 saying.

1 Q. Do you now realize that that was a big
2 mistake?

3 A. It was. And that was part of the reason I
4 started to think Sandy Hook probably happened by 2015,
5 '16 or so, when at first I thought that the children
6 probably actually died but there might be some
7 involvement by some nefarious groups. It's hard to
8 believe that Adam Lanza would do all that, it just
9 seemed so incredible.

10 You're kind of in first stages of grief,
11 even watching something, is denial. And then, over
12 time, I kind of bought into what Halbig was saying and
13 what Pieczenik was saying. And then Halbig began to get
14 mad at me, I don't remember exactly when, like 2015 or
15 so, saying I was covering up because I wouldn't have him
16 on. And he started visibly degenerating more. And so,
17 that's when I began to really think that I might have
18 made a mistake, you know, unintentionally.

19 Q. Let's rewind and talk about December 14th,
20 2012. The day that Adam Lanza attacked the school.
21 Where were you?

22 A. I believe I was -- I believe I had gotten to
23 work by the time it was on the news and heard about it.
24 I don't remember the exact details, I just remember it
25 was just like unbelievable.

1 Q. What was your -- what was your feeling when
2 you saw what had happened?

3 A. Anybody would have just shock, especially
4 you have children, and I, of course, already had three
5 children then, that something like that could happen and
6 that somebody could do something like that. And that
7 just that it was possible, just it's hard to believe.

8 Q. Why did you choose to cover Sandy Hook at
9 all?

10 A. It was the top story in the country and a
11 lot of powerful forces were also using it to blame gun
12 owners in general, and so a lot of people had resentment
13 that they hadn't done anything illegal with a gun and
14 they were being blamed collectively. There was lot of
15 anger back then. The show was more driven to calls, so
16 we open the phones up and people were predominantly I
17 think for a few weeks calling in about it.

18 Q. As you sit here today, do you recall about
19 how much coverage InfoWars gave to the Sandy Hook school
20 shooting in 2012?

21 A. I would have to see notes, but I think it
22 was like two and a half hours.

23 Q. I would like to move into 2013. In terms of
24 the Sandy Hook story, what was going on in 2013?

25 A. A lot of pushes to restrict gun ownership.

1 I mean, just a lot of political fighting going on.

2 Q. During that time you interviewed Steve
3 Pieczenik about the story. Why did you pick him? Did
4 you reach out to him? Did he reach out to you? How did
5 that --

6 A. I reviewed the video but it was a few weeks
7 ago. I mean, I believe he was on on other subjects and
8 I believe it came up or -- and then I believe I, in this
9 interview you're talking about, I think I argued with
10 him about it being totally staged and I found that hard
11 to believe.

12 Q. During that time not you but another host
13 interviewed Dr. James Tracy. Do you recall that?

14 A. Yes.

15 Q. Do you know why James Tracy was interviewed?

16 A. It was a big topic on the internet and I --
17 I mean, the hosts usually set up their own guests. I
18 don't think I watched at the time but I saw it later.

19 Q. At the time were you or anyone else at
20 InfoWars taking a strong position that no one had died
21 at the school?

22 A. No. We were having -- when we did cover it,
23 out of the thousands of hours, it was -- it was a
24 discussion of what happened there. And I knew that
25 there had been other false flag events where they

1 actually killed people, so I -- I still in general
2 thought that that was what was happening. And one
3 reason to interview Pieczenik is he was a psychiatrist,
4 you look this up, there's a lot of article about it, who
5 was involved in some stuff in Europe, knew about
6 Operation Gladio, and had been involved.

7 Q. What's Operation Gladio?

8 A. That's a declassified NATO stay-behind
9 network program in Europe, eastern Europe, western
10 Europe, southern Europe, to stage terror attacks and
11 blame it on the Russians during the Cold War. Operation
12 Gladio. And Pieczenik had been involved in operations
13 dealing with the response, the kidnapping of the Italian
14 prime minister and things like that and the Red Brigade.
15 And so, I knew he was on record an expert on false
16 flags.

17 Q. Let's move into 2014. The comprehensive
18 report written by Detective Dan Jewiss was issued or
19 released around that time, December 2013 or early 2014.

20 A. Say that again, please?

21 Q. We've had testimony that the comprehensive
22 report written by Dan Jewiss, the detective for the
23 Connecticut State Police --

24 A. Yes.

25 Q. -- was released to the general public in

1 either very late 2013 or early 2014. Why didn't that
2 end all discussion?

3 A. I don't remember all the specifics. I know
4 that it was a topic that the public was interested in,
5 so it would resurface from time to time. It was not one
6 of our main topics. Our main topics were wars and
7 surveillance and police state. And I -- but I do
8 remember that they said a lot of it was, quote, still
9 classified and redacted.

10 I do remember there being a controversy
11 about that, and that was what made some people still
12 think that they were being lied to about what really
13 happened there.

14 Q. Let me ask you before we move onto 2014, if
15 you recall, approximately how much time did InfoWars
16 devote to the Sandy Hook story in 2013?

17 A. I actually went over and have some notes, if
18 I'm able to look at those I could give you --

19 Q. Would those refresh your recollection?

20 A. They would. Because I don't want to say the
21 wrong numbers.

22 MR. BANKSTON: Do you have a copy of that
23 for me?

24 MR. REYNAL: Would you like to look at it?

25 MR. BANKSTON: Your Honor, I object.

1 These are just some handwritten notes in Exhibit 31
2 which we know does not even come close to
3 establishing --

4 THE COURT: You have to lay a lot more
5 background before you can refresh the notes.

6 MR. REYNAL: He wrote the notes.

7 THE COURT: He hasn't said that. What you
8 say is not evidence.

9 BY MR. REYNAL:

10 Q. Did you write some notes after reviewing
11 your documents in order to help you refresh your
12 recollection while you testify here today?

13 A. I believe that was the entered evidence that
14 you told me I need to review, you also told me to review
15 the rules about --

16 Q. Without saying what I told you to review.

17 A. Yes, I reviewed that.

18 Q. And did you take some notes based on your
19 review internally to refresh your recollection as to
20 what had happened?

21 A. Yes, I did. I rewatched them, too.

22 Q. Would it help you to refer to your notes in
23 terms of time periods?

24 A. Yes, please.

25 MR. BANKSTON: Your Honor, I'm going to

1 again object because of the discovery order that you
2 have entered, which establishes that is not a complete
3 list of videos, nor could it be used to refresh his
4 memory of what is a complete --

5 THE COURT: Yes, actually could you
6 approach both of you, please.

7 (*Whereupon a discussion was held at the*
8 *bench off the record.)*)

9 BY MR. REYNAL:

10 Q. Based solely on your memory, without
11 reference to any documents that you've reviewed, about
12 how much coverage do you believe InfoWars gave to Sandy
13 Hook in the year 2013?

14 A. I believe it was four or five hours. Less
15 than one-tenth of one percent.

16 Q. So, let's talk about 2014. You started --
17 Wolfgang Halbig came on the show for the first time.

18 A. I believe so.

19 Q. And can you tell us what led you to have
20 Wolfgang Halbig on in 2014?

21 A. He was on a lot of shows and he had a group
22 of bullet points and my producer set him up on the show,
23 so I had him on.

24 Q. At the time what, if anything, else was
25 going on in your life?

1 A. My family was falling apart --

2 MR. BANKSTON: Your Honor, objection.

3 | Relevance.

4 THE WITNESS: I was getting a divorce.

5 THE COURT: Sustain.

6 BY MR. REYNAL:

7 Q. I would like to refer you to the end of
8 2014. We've had a video received in evidence of you
9 stating your belief at that time that no one died at
10 Sandy Hook; that the whole thing was fake. Do you
11 understand as you sit here today how crazy that is?

12 A. I have said before that there have been so
13 many lies and so many things in the past and I was under
14 a lot of pressure and I truly, when I said those
15 statements, when I say something I mean it, that I
16 really could believe that it was totally staged at that
17 point and I was basing that off of really Steve
18 Pieczenik, who is -- has been a very prestigious person.

19 Q. Do you understand now that it was absolutely
20 irresponsible of you to do that?

21 A. It was. Especially since I met the parents
22 and it's a hundred percent real, as I said on the radio
23 yesterday, and as I said here yesterday, it's a hundred
24 percent real. And the media still ran with lies that I
25 was saying it wasn't real on air yesterday. It's

1 incredible. They won't let me take it back. They just
2 want to keep me in the position of being the Sandy Hook
3 man.

4 My son got confronted yesterday --

5 MR. BANKSTON: Your Honor, objection.

6 Speculation as to what the media wants.

7 Mr. Jones is just being on his show.

8 THE COURT: Sustain.

9 MR. BANKSTON: Thank you, Your Honor.

10 THE COURT: I want to just remind you,
11 just answer the question that your attorney asks you.

12 THE WITNESS: Yes, ma'am.

13 THE COURT: Thank you.

14 BY MR. REYNAL:

15 Q. In 2014, based solely off your recollection,
16 without having looked at any documents, can you tell us
17 about how much time was devoted by InfoWars to
18 covering Sandy Hook?

19 A. I believe it's five, six hours.

20 Q. In the whole year?

21 A. Yes.

22 Q. Moving into 2015, at the end -- or at the
23 middle of 2015, in July 2015, you stopped -- InfoWars
24 stopped covering Sandy Hook.

25 A. Yes.

1 Q. Why did you stop?

2 A. Because Halbig was saying that I was
3 involved in Sandy Hook because I wouldn't have him on
4 and I started finding out that some of the things, the
5 anomalies they put forward, weren't true. And I just
6 ended my divorce and just kind of was -- got my head
7 cleaned up and stopped drinking for a while and realized
8 that it probably did happen and I was probably -- I
9 mean, there was good chance I was wrong.

10 So, I started basically trying to walk it
11 back long before I got sued, because I wasn't sure that
12 I was right anymore. Not everything is a false flag,
13 not everything is staged.

14 Q. During that time there was a reporter
15 working, or there's gentleman who at least we've had in
16 evidence worked at some point for InfoWars named Dan
17 Bidondi. Are you familiar with that name?

18 A. Yes.

19 Q. Can you tell us who he is?

20 A. He was a part-time reporter, he was a really
21 nice guy but we were -- we were being more comedy-based
22 part of the show then. And so, Rob is like, this guy is
23 like a Howard Stern character. And so we hired him to
24 do some funny stuff but he wanted to do serious stuff.
25 And then he was officially working for us but I let him

1 go when he moved to Austin for about six months, he just
2 didn't work out.

3 And then he went back and was doing his
4 own show but sometimes he would go out and, you know,
5 say he was doing stuff for InfoWars. And we were proud
6 of some of it, not so proud of other parts of it. And
7 he -- I mean, he --

8 Q. Can you tell us specifically what you're not
9 proud of regarding Bidondi?

10 A. I mean, I didn't like ones I saw, because I
11 wasn't at the time watching a lot of the shows, I was
12 just doing my own show. I saw some of the reports he
13 put out, both on his platform and on ours, and I
14 remember saying, well, that's not how we want to handle
15 things if he's going to do that, tell him don't do that.
16 And then I began telling the crew, no more Sandy Hook,
17 don't cover it.

18 Q. In that first half of 2015, before you shut
19 it down, do you recall approximately, based off your
20 memory, how much coverage Sandy Hook got?

21 A. I don't think it was much, I don't remember.
22 I wrote it down but --

23 Q. That's fair.

24 A. I know for 16 months after that we didn't
25 talk about it any.

1 Q. 16 months?

2 A. That's what my memory is, yes.

3 Q. Let's talk about 2016. Was that an election
4 year?

5 A. Yes.

6 Q. How did the election affect InfoWars?

7 A. Before we had been seen by the right wing as
8 leftist and by the left wing as kind of crazy
9 libertarians, but I was popular with populous everywhere.
10 So, I was popular with land rights group and antipolice
11 corruption groups and was really well-known for being
12 anti police brutality at that time and antiwar.

13 And as soon as I got involved thinking
14 that Trump was an outsider, I got what politics is
15 really like, and I got thrown in the deep end of the
16 weaponization of politics and experienced what that was
17 like at a very, very personal level and --

18 Q. How did the Clinton campaign weaponize
19 InfoWars' Sandy Hook coverage?

20 A. Well, they looked at -- the media went with,
21 okay, this guy is bombastic, he's colorful, he said a
22 lot of wild stuff, we're going to use that and say he's
23 Trump's brain. And all these shows said, Alex Jones
24 tells Trump what to do. And people believed it.

25 MR. BANKSTON: Your Honor, I object to the

1 hearsay.

2 THE COURT: Sustained.

3 You can't tell us what anyone else has
4 said.

5 THE WITNESS: Okay. Okay.

6 THE COURT: There are few exceptions that
7 I do not think will come up in your testimony. So if
8 somebody else said it, you can't tell us.

9 THE WITNESS: Okay.

10 BY MR. REYNAL:

11 Q. Based on your participation in the campaign,
12 just being in the country at the time, can you tell us
13 the volume, from your perspective, of campaign ads
14 linking you to Sandy Hook?

15 A. In the last two months of the campaign I had
16 already been a big part of the Clinton campaign tying me
17 to Trump, and then they spent a huge ad buy for two
18 months talking about me, playing edited clips of me --

19 MR. BANKSTON: Your Honor, objection. He
20 doesn't know what their ad buy was or how huge it was.
21 This is just absolute speculation.

22 THE COURT: Speculation. Sustained.
23 Sustained.

24 BY MR. REYNAL:

25 Q. How did you feel about that?

1 A. Well, when I read in the newspaper there was
2 a \$28 million ad buy --

3 Q. Don't say what you read in the newspaper.

4 THE COURT: So --

5 BY MR. REYNAL:

6 Q. Don't say what you read in the newspaper,
7 just tell me how you felt about it.

8 THE COURT: -- things that you have read
9 are also hearsay.

10 THE WITNESS: Okay.

11 THE COURT: Because you didn't say them,
12 somebody else said them.

13 THE WITNESS: Okay.

14 THE COURT: Right? A writing is speech.
15 Do not tell the jury anything that came from someone
16 else --

17 THE WITNESS: Okay.

18 THE COURT: -- that you read or heard.

19 You'll have to disregard that sentence.

20 THE WITNESS: Okay.

21 THE COURT: Go ahead.

22 BY MR. REYNAL:

23 Q. How did you feel about the advertising that
24 was happening, the political advertising that was
25 happening regarding you and Sandy Hook?

1 A. I felt it was highly deceptive, I felt it
2 stole my identity and was building me into a monster as
3 a political tool. And I wanted my identity back and did
4 not want to be tied to the twisted things that they were
5 saying I did by making me the Sandy Hook Man. And I
6 wanted to be able to try to set the record straight,
7 because it wasn't just hurting me, it was hurting my
8 family.

9 And I also realized that it was going to
10 get other people, or possibly, to make it a big issue.
11 And it did, it made it bigger -- it made it a thousand
12 times bigger than it ever was when other people covered
13 it. It was just huge. And I had people on the street,
14 shopping malls, grocery stores, saying, stop talking
15 about Sandy Hook.

16 MR. BANKSTON: Your Honor, objection.
17 Hearsay. Objection. Nonresponsive.

18 THE COURT: Sustain.

19 BY MR. REYNAL:

20 Q. You made a video in November of that year.
21 Do you recall that?

22 A. Yes.

23 Q. Called "Final Statement on Sandy Hook."

24 A. Yes.

25 Q. What was your purpose in making that video?

1 A. To tell the media why I questioned things
2 but that I thought that it probably did happen and that
3 I did not want to talk about it anymore. So, that was
4 basically where I stood, because I was getting a lot of
5 calls from the media saying they wanted to interview me
6 and I was saying, I don't want to talk about Sandy Hook.

7 Q. As you sit here today, do you realize what a
8 mistake it was to allow yourself to be baited into
9 making that video?

10 A. I feel I was completely baited, not just
11 that time but many other times after; and just caught in
12 this -- caught in this situation where I had been,
13 basically, typecast as someone that runs around talking
14 about Sandy Hook, who made money off Sandy Hook, who was
15 obsessed with Sandy Hook, when it was less than
16 one-tenth percent over those six years of what we
17 covered. And so it was extremely frustrating. It was
18 frustrating then, it's infinitely more now.

19 Q. In 2016, how much coverage did you give to
20 Sandy Hook?

21 A. I believe almost none.

22 Q. That video?

23 A. I think in my notes it's like 20 minutes or
24 something, I'm not sure.

25 Q. Let's go into 2017. And I want to ask you

1 some questions about Megyn Kelly. Did you know Megyn
2 Kelly before 2017?

3 A. No.

4 Q. How did she approach you?

5 A. She kept calling my cellphone.

6 Q. And at some point, without telling us what
7 she said, did you agree to the interview?

8 A. Yes.

9 Q. About how many phone calls did it take
10 before you agreed?

11 A. I don't remember. A lot.

12 Q. Why did you agree to the interview?

13 A. Because I was told that I would be allowed
14 to say that I thought Sandy Hook happened and apologize
15 to the families.

16 Q. And did that turn out to be the case?

17 A. No.

18 Q. Tell us about the process of filming the
19 profile. How did that go?

20 A. She came to the office at about 9:00 a.m.
21 and we were done at about 10:00 o'clock at night. And
22 then I was like three minutes of the program all edited
23 together with jump cuts.

24 Q. What's a jump cut?

25 A. It's like with the refrigerator magnet game

1 where you can move the words around wherever you want.
2 And you know you have jump cuts because the shots kept
3 changing and we're talking about every four or
4 five words being jump cut so that it would make it
5 appear that I wasn't sorry or that I wasn't sad about it
6 and that I was continuing to do it.

7 Q. Do you recall around when the -- did the
8 filming occur before or after April of 2017?

9 A. I believe it was in April.

10 Q. When you realized what was going on, did you
11 make a video addressing the media and what had happened?

12 A. I made several. I actually released the
13 audio of Megyn Kelly, I recorded her once saying, we're
14 going to let you set the record straight and, you know,
15 say that you think Sandy Hook happened and all the rest
16 of it and then I also shot a Father's Day video to the
17 families saying I would like to have you on the show and
18 I'm sorry for what happened and I believe that, you
19 know, these mass shootings happen.

20 And that was my attempt, because the media
21 was saying, on Father's Day he will attack the families,
22 coming up, NBC, just promos everywhere on all the major
23 onus channels, how dare he attack them on Father's Day.

24 MR. BANKSTON: Your Honor --

25 THE WITNESS: I hadn't seen the report

1 yet.

2 MR. BANKSTON: Your Honor, again his
3 testimony --

4 THE COURT: Hearsay.

5 MR. BANKSTON: -- as to other networks --

6 THE COURT: Sustained. Hearsay.

7 Sustained.

8 So remember, Mr. Jones, if you heard it
9 it's hearsay.

10 THE WITNESS: Can I have one of these?

11 THE COURT: Yes, that's why they're there.

12 If you heard it, it's hearsay. So TV,
13 that's hearsay.

14 THE WITNESS: Okay.

15 THE COURT: There are some exceptions.

16 THE WITNESS: I understand.

17 THE COURT: But I don't think any of your
18 testimony is going to qualify for that exception.

19 MR. REYNAL: At this point we will play
20 Plaintiffs' Exhibit 21 which is in evidence, Your Honor.

21 THE COURT: All right.

22 (*Video played off the record.*)

23 BY MR. REYNAL:

24 Q. At the time you filmed that segment had you
25 ever heard the name Neil Heslin?

1 A. I don't believe so.

2 Q. In addition to filming this clip, going
3 after the mainstream media for the way they were
4 covering the event, did you also film a piece reaching
5 out to the families?

6 A. Yes, sir.

7 Are you talking about the Father's Day
8 message.

9 Q. Yes.

10 And why did you film that?

11 A. Because I wanted the families to know that I
12 believe their children died and I was being used as a
13 pawn by putting two pit bull's in a cage to attack each
14 other. And I wanted -- I wanted it to stop. I didn't
15 want to cause them anymore pain and it was also causing
16 my family a lot of problems, and so I wanted it to stop.
17 And I didn't want to be sucked into it anymore.

18 That's why I agreed to the Megyn Kelly
19 interview. She said, I'll just talk about it a bit. I
20 said, I would like to be able to clarify that I think it
21 happened. But she didn't let that get out on the air.
22 So -- sorry. Sorry about this. So, that's why I shot
23 the Father's Day report.

24 Q. At this time we play Exhibit 67 in evidence,
25 the Father's Day report.

1 THE COURT: All right.

2 (Video played off the record.)

3 BY MR. REYNAL:

4 Q. After the Megyn Kelly profile aired, Owen
5 Shroyer on InfoWars, as an employee of Free Speech
6 Systems reported on a ZeroHedge story about Sandy Hook.
7 Do you recall that?

8 A. Yes.

Q. Did you know he was going to cover it?

10 A. No.

11 Q. To your knowledge, before that piece aired,
12 had anyone on InfoWars ever mentioned Neil Heslin by
13 name?

14 A. No.

15 Q. Why haven't you fired Owen Shroyer for
16 airing that segment?

17 A. Because I asked him why he did it and he's
18 testified that he wasn't denying his son died, he was
19 saying, why did Megyn Kelly put two conflicting things
20 out, obviously knowing journalistically that would stir
21 up a larger debate. And also -- go ahead.

22 Q. You know, though, that the gist of that
23 report, as found by the Court, was, as found by the
24 Court, defamatory to Mr. Heslin.

25 A. Well, it was not my intention. I didn't

1 know that. And Owen, it's his opinion that he didn't
2 mean to be that way.

3 And also, Owen came to work after I put
4 out the directive to not cover Sandy Hook any more, and
5 it was an oversight that, while they're just printing
6 out hundreds of articles and bringing in newspapers for
7 the host to look at, you're not told to cover this, they
8 just bring in news articles and stacks of things. He
9 saw that, thought it was interesting, and covered it.

10 And I don't think he intentionally, in my
11 view, I understand the judge has said that that's the
12 case, but I know that's not the case with me. And Owen
13 is a really classy guy and really sad about what
14 happened. So he would never, in my view, want to do
15 anything to just randomly hurt people.

16 I didn't even know who Mr. Heslin was,
17 never said his name. He's a really nice person, now
18 that I know him, his ex-wife is an amazing person, very,
19 very touching what she's doing.

20 I really support -- I would like to work
21 with your network, I agree we've got to choose love, and
22 fix this evil that's ripping our country apart. And I'm
23 just very blessed to be able to be here and actually say
24 what I think and what I stand for instead of -- instead
25 of a bunch of edited, out-of-context tapes.

1 But I do acknowledge that I
2 unintentionally took part in things that did hurt these
3 people's feelings, and I'm sorry for that.

4 Q. To your knowledge, did you make money off of
5 your Sandy Hook coverage?

6 A. No. We lost money. It really hurt us with
7 a large part of the audience and Paul Watson basically
8 ended up quitting over it.

9 And you cannot get sucked in by Pieczenik
10 and all of this, this is not -- this is not good. And
11 around the time that happened, I guess 2015 or so, I
12 listened to him, but it was just like a cold sore
13 resurface occasionally, because it's a talk show. And
14 so, I mean, look, now any mass shooting, like I said, I
15 almost didn't air the tape of the head of the state
16 police saying there's a cover up in Uvalde. Sure,
17 children died, it's terrible, but I'm like hands-off now
18 because I don't want to be sucked into this black hole
19 of mass shootings anymore.

20 Q. Let me -- we've had some testimony about
21 2018 de-platforming of your business. What has that
22 meant in terms of your audience reach?

23 A. What it does is you're technically still on
24 the internet, kind of like if you're in a prison you're
25 still on the earth, you just -- people have to come

1 visit you in the prison, they have to come to
2 InfoWars.com. You can't get it anywhere else, other
3 than edited things your enemies put out.

4 So, you're not just locked in a prison, it
5 would be like being locked in your house. You're still
6 in Austin but you can't go to the store, you can't go --
7 hundreds of platforms have barred us being there and
8 even things like Airbnbs and Uber, it's a social credit
9 score is being tested on us that China has. They admit
10 that.

11 And so, it's -- it's been horrible and it,
12 you know, has crippled the number of people we're able
13 to reach. And the worse part is people in the
14 establishment, in the corporate media, then can
15 misrepresent what you said on Twitter or Facebook and
16 you can't respond.

17 That's why big newspapers have gotten rid
18 of comments, they don't even want people to respond when
19 they gaslight people. They can just say whatever they
20 want about you and cobble things together and then you
21 can't respond. They edit a tape, they air it, and then
22 you can't go show them the tape of what really happened.
23 And they make sure that's their key is that you can't
24 ever respond. And then they steal your identity,
25 basically, then they build this demon out of bad things

1 you did and good thing you did.

2 But the point is they magnify your faults,
3 they blow it up and then now they own you. They can say
4 what they want about you, they can do what they want,
5 they can falsely quote you and they can basically do it
6 with impunity. And it's next-Level 1984.

7 So, that's been the worse part about
8 de-banking, de-platforming, and all the persecution and
9 all the things that have come with it is that you don't
10 have a voice anymore in the utility that is the
11 internet. Because these companies have utility
12 protections they're not publishers, that's how they're
13 protected. And so, they have immunity, basically, and
14 then can say whatever they want, everybody else can
15 attack you on those platforms, but then you can't
16 respond to defend yourself. So it's identity theft is
17 what it is.

18 Q. Let me switch gears. And we've touched on
19 this already. As you sit here today, what are your
20 beliefs around the Sandy Hook school shooting?

21 A. I've certainly studied it now, and I should
22 have done a better job studying it. There was an
23 initial coverup of what happened, in my view, because
24 the local government was covering its behind, like they
25 do in Uvalde. Those children really died, and they have

1 that coverup there, it's admitted. There's now state
2 investigations of the cover up, Texas Rangers are on it
3 and the governor said it's an outrageous coverup. And
4 it's incompetence is what it was.

5 And I thought it was incompetent what
6 happened in Florida a few years ago --

7 MR. BANKSTON: Your Honor, objection.
8 Nonresponsive.

9 THE WITNESS: Well, I mean --

10 THE COURT: Sustained.

11 THE WITNESS: What's the question? Sorry.

12 BY MR. REYNAL:

13 Q. My question was, as you sit here today, what
14 is your position, your view, on what happened, the
15 murders at Sandy Hook Elementary School in 2012?

16 A. A young man on psychotropic drugs, the
17 inserts on those say it can make you do mass shootings,
18 mass murders --

19 MR. BANKSTON: Your Honor, I think we're
20 coming really close to contempt here. We object to
21 hearsay.

22 THE COURT: Sustained.

23 MR. REYNAL: I'll move on.

24 THE WITNESS: I think Sandy Hook happened,
25 I think it's a terrible event, and I think we need to

1 protect our children from mentally ill psychopaths. And
2 I think there was a coverup because they had warnings,
3 the FBI knew about it, they knew he was planning to
4 attack the school, that's been in even the *New York*
5 *Times*, and I think --

6 MR. BANKSTON: Your Honor.

7 THE WITNESS: -- reports that --

8 MR. BANKSTON: I'm going to object again
9 for hearsay.

10 THE COURT: Well, right now there's
11 actually no question, it's just you talking. This is
12 not a conversation --

13 THE WITNESS: Okay.

14 THE COURT: -- it's not a show. It's a
15 question, answer to the question asked of you.

16 THE WITNESS: Got it. Yes.

17 THE COURT: So, that objection is
18 sustained and we need another question.

19 BY MR. REYNAL:

20 Q. I'm wrapping up here. And I want you to
21 tell the Ladies and Gentlemen of the Jury what it is
22 that you're trying to accomplish with InfoWars.

23 A. I'm trying to challenge the military
24 industrial complex, I'm trying to challenge the powerful
25 international forces that I believe are taking control

1 of our country, and I want to try to get people to ask
2 questions and to not believe the official story and to
3 try to investigate things for themselves.

4 And I'm trying to promote American values
5 of the First Amendment and of the people's right to
6 think and to make decisions on their own and for the
7 public's right to be able to listen to what they want to
8 listen to and watch what they want to watch and read
9 what they want to read.

10 And that's really what, in my view, this
11 is all about is the worse speech out there is, even if
12 you disagree with it, even if it's the KKK, horrible
13 people like nazis, I want to protect their right,
14 because if we take their right of speech away we're
15 going to end up all losing our rights, as it is more
16 than a slippery slope.

17 And I regret that I, by my mistakes --

18 MR. BANKSTON: Objection. Nonresponsive.

19 THE COURT: Sustain.

20 BY MR. REYNAL:

21 Q. When you look back on your 20-plus years in
22 the media, what are you most proud of?

23 A. I'm most proud of, early on, exposing that
24 the WMDs were in Iraq and it was a fraud and it was lie.
25 And I'm very, very proud of being the first to expose

1 Jeffrey Epstein and his child trafficking rings, world
2 record being the first to expose that a decade before
3 anybody else by name, and even exposing the island and
4 the rest of it from our sources.

5 And I am proud of the fact that we have
6 inspired a lot of great people, independent journalists,
7 that are doing great work. We've inspired a lot more
8 good people than we have bad people.

9 And, you know, I'm actually proud of the
10 fact that I got a chance to have Neil and Scarlett come
11 over to me and shake my hand and, you know, talk to me
12 yesterday so I can tell them face-to-face that I'm
13 sorry.

14 MR. BANKSTON: Objection. Relevance.

15 THE COURT: Sustain.

16 MR. REYNAL: Pass the witness.

17 THE COURT: All right. Mr. Bankston.

18 CROSS-EXAMINATION

19 BY MR. BANKSTON:

20 Q. Mr. Jones, see, I've got a lot to talk to
21 you about. Before I do that, though, before I talk to
22 you about the details of the history of this case, I
23 want to know, are you taking this trial seriously? Are
24 you approaching it in good faith?

25 A. Absolutely.

1 Q. Okay. The truth is, you and your company
2 want the world to believe that this judge is rigging
3 this court proceeding to make sure that a script, a
4 literal script, is being followed. That's what you want
5 the world to believe; right?

6 A. Aren't I barred from talking about this?

7 Q. I'm asking you the question, Mr. Jones.
8 Answer the question.

9 THE COURT: The way the court works is you
10 answer a question until there's an objection.

11 THE WITNESS: Okay.

12 BY MR. BANKSTON:

13 Q. Let me ask you the question again,
14 Mr. Jones, make sure you understand it very clearly.
15 You and your company want the world to believe that this
16 judge is rigging this court proceeding so that a script,
17 and I mean a literal script, is being followed. That's
18 what you want the world to believe. That's what
19 InfoWars wants --

20 A. I believe when you're given a court order
21 that you cannot say you're innocent that that's not
22 America. And the court order is right there on the
23 table. I've been told I can't say I'm innocent --

24 THE COURT: So you need to answer the
25 question that is asked.

1 BY MR. BANKSTON:

2 Q. I asked you this question, yes or no, that's
3 what you want the world to believe.

4 A. No, I believe the jury is real and I believe
5 that I'm innocent until proven guilty and I believe the
6 jury should decide my guilt.

7 MR. BANKSTON: Your Honor, at this time we
8 would like to offer a clip from InfoWars on Friday for
9 the purposes of impeachment in which those exact words
10 are said.

11 THE COURT: All right. Do you have an
12 objection?

13 MR. REYNAL: I haven't seen the clip, Your
14 Honor --

15 THE COURT: Do you want to see it before
16 we play it?

17 MR. REYNAL: I would.

18 THE COURT: All right. How long is it?

19 MR. BANKSTON: That one in particular I
20 think is about 15 seconds.

21 THE COURT: Is there some way to watch it
22 without making the whole jury leave?

23 MR. BANKSTON: I guess we can go outside
24 the courtroom, me and Mr. Reynal.

25 THE COURT: Do you have the ability to do

1 that?

2 THE WITNESS: Check the context.

3 MR. BANKSTON: It will take her a minute
4 to unplug and plug back in.

5 THE COURT: All right. Why don't we do
6 this, why don't we go ahead and let the jury take a
7 morning break, so, 20 minutes or less, maybe 15 minutes,
8 and we'll make sure we get through as much that has to
9 be done outside of the jury as possible before you come
10 back.

11 So, go ahead and take your break.

12 Remember my instructions.

13 *(Whereupon the jurors exit the courtroom
14 and the following proceedings were held in open court:)*

15 THE COURT: Everyone may be seated.

16 So, here is what I want to do. And we can
17 send Mr. Jones into the hall if we need to, I don't know
18 if you have other impeachment evidence.

19 MR. BANKSTON: I do, Your Honor.

20 THE COURT: I don't want to do this over
21 and over and over and over.

22 MR. BANKSTON: Correct.

23 THE COURT: Okay.

24 MR. BANKSTON: I also do want to avoid,
25 though, disclosing impeachment evidence I don't have to

1 disclose to Mr. Reynal, which he then gets a break to
2 talk to his client at some point about that information.

3 THE COURT: Well, you know, really, I'm
4 the one who probably needs to see it more than anybody
5 else. So, why don't you send it to me and I'll watch it
6 in chambers by myself.

7 MR. BANKSTON: Do you want me to send
8 all -- any video I might use for impeachment? Because
9 it's pretty short. It's not long.

10 THE COURT: I was just going to say, how
11 long will it take you?

12 MR. BANKSTON: I would say it will
13 probably take you two minutes to review.

14 THE COURT: All right. That will be fine.

15 Mr. Jones, you can go down next to your
16 counsel while we take this break.

17 Yes, Mr. Reynal.

18 MR. REYNAL: I object to the process that
19 has just been described between the Court and the
20 Plaintiffs' attorneys. I think it amounts to an ex
21 parte communication and I object to it.

22 THE COURT: So, you want me to bring the
23 jury in and out, in and out every time?

24 MR. REYNAL: If Mr. Bankston wants to keep
25 playing little video clips that he got off the internet

1 a week ago, yes.

2 THE COURT: For impeachment purpose.

3 MR. REYNAL: I understand, Your Honor.

4 He's got a decade of videos to play. It seems
5 unnecessary and, if that's the process, that's the
6 process.

7 MR. BANKSTON: My only other request,
8 then, if we want to do it in a way in which Mr. Reynal
9 is allowed to see all of my impeachment evidence while
10 Mr. Jones is now on the stand, is to sequester
11 Mr. Reynal and Mr. Jones at any break in the testimony.

12 MR. REYNAL: I don't think that's
13 appropriate, either. I'm not going to discuss anything
14 with Mr. Jones that I'm not supposed to.

15 THE COURT: Well, let's watch the one
16 we've already talked about. So let's watch that one
17 now.

18 Can we shut the door deputy, please, all
19 the way.

20 MR. BANKSTON: We need --

21 THE COURT: Oh, yeah. I'm not sure that
22 that's necessary.

23 THE WITNESS: I have to go to the
24 bathroom, anyway.

25 THE COURT: All right, that's fine.

1 Is that all right with you, Mr. Reynal?

2 MR. REYNAL: It's fine with me.

3 MR. JONES: You telling me to wait?

4 THE COURT: I'm not telling you to wait.

5 You said you need to use the restroom.

6 *(Video played off the record.)*

7 That will definitely be allowed for
8 impeachment.

9 MR. BANKSTON: Thank you, Your Honor.

10 THE COURT: It's Free Speech Systems.

11 MR. REYNAL: No, you're right, you're
12 right. Yeah. I heard him say, you were on your show
13 saying these things.

14 THE COURT: You can go back, but he said
15 your company.

16 MR. REYNAL: Fair enough, fair enough.

17 *(Brief recess.)*

18 *(The following proceedings were held
19 in open court in the presence of the jury.)*

20 THE COURT: All right. You may be seated.

21 And Mr. Bankston, you can start right back
22 where you were.

23 MR. BANKSTON: Sure, Your Honor. And at
24 this point we would like to offer for impeachment
25 purposes a video from InfoWars on Friday, July 29th.

1 THE COURT: All right.

2 (Video is played off the record.)

3 BY MR. BANKSTON:

4 Q. That man's name is Robert Barnes?

5 A. Yes.

Q. And that's InfoWars?

7 A. Yes.

Q. He was hosting your show on the 29th?

9 A. Yes.

10 Q. Well, you were on the show for part of the
11 29th, right, you were in the courtroom part of it, on
12 your show part of it.

13 A. I believe so.

14 Q. Okay. And Mr. Barnes, he's a frequent
15 anchor on InfoWars?

16 A. He's been a frequent guest for about six
17 years or so.

18 Q. He's also represented you in this case as an
19 attorney?

20 A. Yes.

21 Q. Okay. You say, Mr. Jones, that you're
22 taking these court proceedings seriously; you're
23 approaching them in good faith. But the truth of
24 matter is you've been broadcasting repeatedly a pi-
25 of our judge on fire. Haven't you.

1 MR. REYNAL: Objection. Compound, Your
2 Honor.

3 THE WITNESS: No.

4 MR. REYNAL: You have to wait until the
5 Court rules.

6 MR. JONES: Oh.

7 THE COURT: Overruled. There was a
8 statement and then a question.

9 BY MR. BANKSTON:

10 Q. Mr. Jones, I'm going to hand you what I've
11 marked Plaintiffs' Exhibit 129.

12 That's your show, isn't it?

13 A. That's justice on fire.

14 Q. Okay. That's from your show, isn't it?

15 A. Yes. I haven't seen this.

16 Q. And you've been running this video
17 repeatedly, haven't you.

18 A. No, I have not been there all the time.

19 Q. You haven't been a lot of the time. You've
20 been there every day this last week, haven't you? Every
21 single day.

22 A. No, I tape some of the shows. I haven't
23 been there today.

24 MR. BANKSTON: Your Honor, I would like to
25 move 129 into evidence.

1 MR. REYNAL: Is this impeachment evidence?
2 I'm not exactly sure what Mr. Bankston wants to do
3 with --

4 THE COURT: I think he wants to impeach
5 Mr. Jones with it.

6 MR. REYNAL: Does he want to introduce
7 this, is it just to show to the jury or does he want it
8 to go into evidence?

9 THE COURT: No, I think he --

10 MR. BANKSTON: I'm moving to admit it as
11 evidence.

12 THE COURT: -- admitted into evidence.
13 He's moving that it be accepted into evidence. Do you
14 have an objection?

15 MR. REYNAL: Yes, Your Honor, we do.

16 THE COURT: What is the legal objection?

17 MR. REYNAL: 401, 403.

18 THE COURT: Can I see it, please?

19 MR. BANKSTON: Yes, you may, Your Honor.

20 THE COURT: Plaintiffs' 129 is admitted.

21 *(Plaintiff's Exhibit 129 admitted.)*

22 MR. BANKSTON: Thank you, Your Honor.

23 BY MR. BANKSTON:

24 Q. The person on the left of this image is our
25 judge; right?

1 A. Yes.

2 Q. The person on the right is another judge you
3 don't like; right?

4 A. Yes.

5 Q. One of the things -- you can take that down
6 Malisa.

7 One of the things you've been talking
8 about a lot recently on your show, even for the past
9 couple of months, is your allegation that government
10 officials are aiding in pedophilia, child trafficking,
11 and the grooming of children; right?

12 A. You mean like what Jeffrey Epstein did with
13 the Clintons?

14 Q. Sure, if that's a yes. Is that a yes?

15 A. Yes.

16 Q. Okay. And on Thursday, you and InfoWars
17 started connecting those allegations to our judge,
18 didn't you.

19 A. No.

20 Q. In fact, Mr. Jones, you're telling the world
21 not to believe what happens in this courtroom because
22 the judge worked with Child Protective Services, who you
23 say is involved with pedophilia and child trafficking;
24 correct?

25 A. Not all of it, but the Texas Youth

1 Commission got caught doing it, there's been a lot of
2 that here.

3 Q. I'm not asking you that, Mr. Jones. I'm
4 asking you, you're telling the world not to believe
5 what's happening in this trial because this judge is
6 involved with CPS, who is working with child traffickers
7 and pedophilia; correct?

8 A. No, that's not what I'm saying.

9 MR. BANKSTON: Okay. Your Honor, at this
10 time we would like to show a clip from Mr. Jones' show
11 on Thursday where those words are said.

12 THE COURT: For impeachment purposes?

13 MR. BANKSTON: For impeachment purposes.
14 Yes, Your Honor.

15 MR. REYNAL: I would like to hear the
16 clip.

17 THE COURT: All right. Do we have a
18 system?

19 Okay. And it won't show yet, right?

20 (*Pause in proceedings.*)

21 MR. REYNAL: We would argue this is
22 impeachment on a collateral matter, not appropriate to
23 get into. Improper impeachment, Your Honor.

24 THE COURT: Well, those are two different
25 objections and a statement. So, is it impeachment on a

1 collateral matter or an improper impeachment?

2 MR. REYNAL: It is an improper impeachment
3 because it is on a collateral matter.

4 THE COURT: And the collateral matter is
5 what he's saying about me.

6 MR. REYNAL: Correct.

7 THE COURT: And the question is about
8 whether he's taking this seriously.

9 MR. BANKSTON: Correct.

10 THE COURT: Overruled.

11 MR. BANKSTON: Thank you, Your Honor.

12 *(Video played off the record.)*

13 BY MR. BANKSTON:

14 Q. That's what you mean when you're taking this
15 seriously.

16 A. I take this as serious as cancer. And, I
17 mean, I don't know, you show somebody else's clip that
18 they're always a few seconds long, why don't you play
19 the whole thing.

20 Q. Mr. Jones, that's not someone else's clip,
21 is it?

22 A. Well, I didn't direct it or produce it is
23 what I'm saying.

24 Q. You certainly published it.

25 A. I'm not standing behind it. I have to see

1 the full thing.

2 Q. So, you don't stand by the things you
3 publish about our judge on your show repeatedly, day
4 after day?

5 A. No, I said I don't stand behind it, I
6 need to see not just five-second clips.

7 Q. Well, we can talk about what you said
8 before --

9 A. How long is the clip? Can you play the
10 whole thing?

11 Q. Mr. Jones, you're not asking questions
12 today. Do you understand that, sir?

13 A. Oh, I thought I could ask to see a full
14 document, if somebody showed me something I can see what
15 it was.

16 THE COURT: This is a question from a
17 lawyer, answer from the witness.

18 MR. JONES: Okay.

19 THE COURT: Not the other way around.

20 BY MR. BANKSTON:

21 Q. The only other thing I want to ask you about
22 is not the other weird stuff you said in that video, I
23 just want to ask you about the question that I asked
24 you, which you said no, I'm not saying the judge is
25 connected to pedophilia and child trafficking. This is

1 you taking this trial seriously and in good faith?

2 That's what this is?

3 A. It's a five-second clip. I don't know what
4 you've cut off or on.

5 Q. Does it matter? Is there anything before
6 and after that that would make it great to show pictures
7 of our judge on fire and telling the world she's
8 involved in pedophilia? Can you tell me the context
9 that would occur before and after --

10 COURT REPORTER: Excuse me, can you slow
11 down.

12 MR. BANKSTON: Excuse me. I'm sorry,
13 Miss DuBois.

14 THE WITNESS: I believe, if you're only
15 wanting me to go off five seconds, I believe the thing
16 is the judge is the fire burning Lady Liberty. It's not
17 the judge -- the judge is consuming freedom.

18 BY MR. BANKSTON:

19 Q. Wouldn't you agree with me, Mr. Jones,
20 that I sure hope some of your viewers are able to make
21 that distinction that you just put on the air, don't
22 you?

23 MR. REYNAL: Object to the speculation,
24 Your Honor.

25 THE WITNESS: All I know is --

1 MR. BANKSTON: Withdrawn.

2 THE WITNESS: -- I take this very
3 seriously.

4 THE COURT: Sustain and withdrawn. So
5 stop.

6 BY MR. BANKSTON:

7 Q. You tell this jury you're taking this trial
8 seriously, but you're telling the world that someone
9 inside Travis County government rigged the jury summons
10 and picked these jurors specifically who don't know what
11 planet they are on. Correct? That's what you're
12 telling the world.

13 A. I'm saying that that could potentially be a
14 danger if they don't know what's going on.

15 Q. You think that's potentially is what you're
16 saying. Potentially. You didn't go on your show and
17 say those words is what you're going to tell me.

18 A. I mean -- can you show me?

19 Q. I would be happy to.

20 For purposes of impeachment we would like
21 to now offer a video from Mr. Jones' show on Friday
22 saying those words.

23 A. Please do.

24 (Pause in proceedings.)

25 MR. REYNAL: We would object to

1 impeachment on a collateral matter and 403, Your Honor.

2 THE COURT: Overruled.

3 MR. BANKSTON: At this time let's go ahead
4 and play that video.

5 (*Video played off the record.*)

6 BY MR. BANKSTON:

7 Q. Mr. Jones, you don't like that this jury is
8 made up of blue collar folk. You think that's wrong.

9 A. No, I don't think that.

10 Q. You don't think they know what planet
11 they're on?

12 A. I'm saying some -- some people, like you
13 said in your opening statement, live in bubbles. We all
14 live in bubbles. And the people who live in a
15 mainstream media bubble, they might not have ever seen
16 what I really say or do. That's what I was saying.

17 Q. I understand that you've been unable to
18 attend a good portion of this trial due to a medical
19 issue. Is that correct?

20 A. Only a few -- some of it, yes.

21 Q. Sure, sure.

22 And you told the press outside this
23 courthouse that it was because of an untreated hernia?

24 A. Well, I'm going to have to get that taken
25 care of and a bunch of other stuff.

1 MR. REYNAL: Your Honor, it's absolutely
2 inappropriate for Mr. Bankston to question Mr. Jones
3 about his health issues. He wasn't under subpoena, he
4 didn't have to be here. It's private information what
5 is right or wrong with his health.

6 MR. BANKSTON: It wasn't private when he
7 communicated --

8 THE COURT: Okay, okay. Mr. Jones has the
9 right to talk about his health with anyone he wants. We
10 don't. Other people don't. You can talk to him about
11 attendance. He's not required to be here. It's his
12 choice. But let's not get into his -- let's
13 not -- let's move on.

14 MR. BANKSTON: I hear you, Your Honor.

15 THE COURT: It wasn't a real legal
16 objection. It's kind of a --

17 BY MR. BANKSTON:

18 Q. Okay. You've been on your show most of last
19 week, pretty much every day last week?

20 A. I did an hour here, I taped some, as well.

21 Q. Okay. And you've been screaming and yelling
22 on your show; right?

23 A. Yes, just like the media has been doing.

24 Q. Okay. Haven't been coughing on your show,
25 have you. All these coughs in court, they don't happen

1 on the full hour of your show. You don't ever cough;
2 right?

3 A. I mean, I've got cough drops right here in
4 my pocket. I've got laryngitis and a torn larynx. It
5 comes and goes. It starts burning and it's then
6 uncontrollable. And I actually have been coughing a lot
7 on air, if you guys have been watching my show --

8 Q. I have.

9 A. -- I have a cough button I can step on and
10 cough. There's a button I step on. I've been hacking
11 and coughing. It's a hundred percent real.

12 Q. Sure.

13 You were talking about how you've done
14 thousands of hours of programming; right?

15 A. More than that over the years, yes.

16 Q. Not all of it has been on Sandy Hook, you
17 talk about a lot of other stuff; right?

18 A. In our estimation over 99-plus percent is
19 not on on Sandy Hook.

20 Q. I want to talk about some of that other
21 stuff. Boston bombing, you said it was fake, a DHS
22 drill.

23 MR. REYNAL: Your Honor, we're going to
24 object. 403. No relevance to Sandy Hook.

25 THE COURT: We can get into it some

1 because it's been already introduced. Some.

2 BY MR. BANKSTON:

3 Q. I want to show the pattern here. You talk
4 Boston bombing, you've been telling the world fake, not
5 real, a Department of Homeland Security drill. Right?

6 A. There was a drill. I think real people got
7 bombed, but we've asked questions on both sides years
8 ago.

9 Q. Yet you said the exact opposite. You've, in
10 fact, said some of these people who claimed to be
11 injured were crisis actors in other tragedies, just like
12 in Sandy Hook you said.

13 A. No, we reported on other people saying that.

14 Q. In fact, you said some of the people at
15 Sandy Hook, during your coverage of Sandy Hook, you have
16 said they were actually some of the people pretending to
17 be injured in the Boston bombing. You said that.

18 A. I don't remember that.

19 Q. Okay. Shooting of Representative Gabrielle
20 Giffords. Do you remember when that happened in
21 Arizona?

22 A. Yes.

23 Q. Okay. And you said that was a government
24 mind-control operation; right?

25 A. I said the guy fit the bill.

1 Q. Did you say he fit the bill or did you tell
2 your audience explicitly that was a government mind
3 control operation? Which did you do?

4 A. I didn't know you were going to bring this
5 up, that was a long time ago.

6 Q. What about the Sutherland Springs church
7 shooting just down the road from here, that wasn't that
8 long ago, you said that was fake, an antifa false flag
9 staged operation; right?

10 A. I believe we said that happened. We
11 questioned, like Uvalde. Everybody is questioning that.

12 Q. How about Oklahoma City, you said that's a
13 false flag inside job.

14 A. Absolutely. I've interviewed the police
15 officers and others that were there, found the other
16 bombs inside. They've been on my show.

17 Q. Do you remember the shooting in Parkland,
18 Florida, in 2018?

19 A. Yes.

20 Q. You called a bunch of people crisis actors
21 there; you said crisis actors were used in Parkland,
22 Florida; right?

23 A. No, I didn't. I said they had the film --
24 the drama club then go do interviews because they had
25 skills to present themselves. I said that I believe

1 that that happened and I had students on the day after
2 the shooting saying it happened and that there had been
3 a police stand down and that CNN said I had actors on
4 and it wasn't true, I had real people.

5 Q. You don't remember saying on the day of and
6 the next day that it was false flag, engineered to start
7 a civil war? Did you say that about Parkland?

8 A. They knew about the young deranged man. He
9 was known as "School Shooter," that was his nickname.
10 And he was kicked out of school for threats at the time
11 and he was again left alone --

12 MR. BANKSTON: Objection. Nonresponsive.

13 THE COURT: Sustained.

14 BY MR. BANKSTON:

15 Q. Mr. Jones, I asked you on that day and the
16 day after, do you remember saying that Parkland was a
17 false flag, engineered to start a civil war?

18 A. I said it could -- I mean, I believe it
19 could be.

20 Q. Okay. Las Vegas, the shooting there at the
21 concert, said that's a false flag government operation;
22 right?

23 A. Well, a lot of people have questions about
24 Vegas. I mean, that's --

25 THE COURT: So, Mr. Jones --

1 MR. BANKSTON: Objection. Nonresponsive.

2 THE COURT: Sustained.

3 Mr. Jones, I know you want to tell your --
4 what you want to tell us, but this is a question and
5 answer.

6 THE WITNESS: Got it. Yes.

7 THE COURT: So, just like Mr. Reynal can
8 ask you questions later and you'll get to answer them,
9 right now --

10 THE WITNESS: I understand.

11 THE COURT: -- you have to just listen to
12 the question that Mr. Bankston asks you and just answer
13 that question.

14 THE WITNESS: Okay.

15 THE COURT: All right. Let's try again.

16 BY MR. BANKSTON:

17 Q. Las Vegas shooting, you said it's a false
18 flag, government operation.

19 MR. REYNAL: I'm going to object. 403
20 again. I think we've gone enough down this road, Your
21 Honor.

22 THE COURT: We'll finish with this one.

23 MR. BANKSTON: Okay.

24 THE WITNESS: I believe it should be
25 investigated.

1 BY MR. BANKSTON:

2 Q. Would you agree with me there is not a mass
3 tragedy, mass bombing, mass shooting that has occurred
4 in America in the past 15 years that you have not
5 attached the words "false flag" to?

6 A. I have asked the question. Because I
7 believe a lot of things are provocateured or allowed to
8 happen. I believe children died in Uvalde and --

9 MR. BANKSTON: Objection. Nonresponsive.

10 THE WITNESS: Okay.

11 THE COURT: Sustained.

12 BY MR. BANKSTON:

13 Q. Mr. Jones, please listen to my question.
14 It's a very, very simple question. Would you agree with
15 me that every single mass tragedy, mass shooting, mass
16 bombing that you can recall right now in the past
17 15 years you have attached the words "false flag" to it.
18 Yes or no.

19 A. No.

20 Q. Okay. You remember yesterday you were
21 testifying about what the word "synthetic" means over on
22 that board?

23 A. Yes.

24 Q. Okay. And you testified that when you use
25 the term "synthetic," that means real stuff happened but

1 that it was being provocateurized, with provocateurs;
2 right?

3 A. It can mean both, but yes generally.

4 Q. Well, I would like to show you right now
5 from Plaintiff's Exhibit 13A, I mean Plaintiff's video
6 Exhibit 13A in evidence, an example of you talking about
7 something being synthetic. So, we are playing
8 Plaintiff's Video Exhibit 13A.

9 (Video played off the record.)

10 Now, I think you'll agree with me,
11 Mr. Jones, that when you were testifying yesterday about
12 what the word "synthetic" means, you did not tell the
13 jury it can mean both. You told them, would you agree
14 with me, that it means something really happened, that's
15 what you mean. That's what you said yesterday?

16 A. No. No, I mean, I'm saying that's totally
17 synthetic back at the time, for that one year I was
18 saying it totally didn't happen, in like 2014 or
19 whatever it was.

20 MR. BANKSTON: Objection. Objection.

21 Nonresponsive.

22 THE WITNESS: No, that's not --

23 THE COURT: Okay. After the beginning,
24 sustained.

25 ///

1 BY MR. BANKSTON:

2 Q. I'll move on.

3 Let's talk about Jim Fetzer for a minute.

4 All right. I believe you just testified that you
5 figured out, you figured out Jim Fetzer was a little
6 nutty. You came to that conclusion. Right?

7 A. Yes.

8 Q. Around 2015 is what you testified to?

9 A. I don't remember the exact days.

10 Q. You just got it, you seem to remember pretty
11 well when Mr. Reynal was testifying that you apparently
12 put a ban on Sandy Hook coverage in 2015; right?

13 MR. REYNAL: Objection. Compound.

14 THE WITNESS: I told him I can't remember,
15 I had notes. I can't --

16 THE COURT: Okay. When you hear
17 "objection" that means you wait.

18 Objection. Compound.

19 MR. REYNAL: Yeah, we began with Fetzer
20 and we ended with Sandy Hook.

21 THE COURT: Sustain.

22 One question at a time, please,
23 Mr. Bankston.

24 MR. BANKSTON: Sure, sure.

25 ///

1 BY MR. BANKSTON:

2 Q. By 2015 you put -- you're claiming you put a
3 ban on Sandy Hook stuff; right? You just testified to
4 that?

5 A. I believe that's around the time I told
6 people to stop covering it.

7 Q. And you knew Fetzer, by that time you
8 figured out he was not well; right?

9 A. Yes.

10 Q. And were you here for the testimony of your
11 corporate representative, Brittany Paz? I don't know if
12 you were here for that.

13 A. No, I wasn't.

14 Q. Okay. Were you aware, either from seeing
15 her testimony at an earlier point or from hearing about
16 it secondhand, were you aware that she testified that at
17 the time the company was using Jim Fetzer's material
18 that they knew he was not a well man? Did you see that
19 testimony?

20 A. I didn't see that testimony.

21 Q. Okay. Miss Paz testified to that.

22 If your corporate representative got up
23 here and testified, when we were using Fetzer's stuff we
24 knew he was not credible, would you disagree with that?
25 Is she telling the truth?

1 A. I mean, I think she would have to be
2 mistaken. We didn't have a corporate rep., so we went
3 and hired someone to come look at all our books and
4 everything and try to figure out what was going on, so.
5 But, I mean, I never interviewed Fetzer on that, none of
6 us interviewed him on Sandy Hook, so. Did we cover a
7 news article that might have had a quote by him or
8 something in it? I saw that. But we weren't closely
9 associated with him at that time, is my memory.

10 MR. BANKSTON: Objection again.

11 Nonresponsive.

12 THE COURT: Sustain.

13 BY MR. BANKSTON:

14 Q. With respect to Mr. Halbig, I believe you
15 testified also just now you figured out he was crazy in
16 to 2015; right?

17 A. Sometime around then, yeah.

18 Q. Okay. And, in fact, though, did you see
19 Miss Paz's testimony where she said the company received
20 emails from Wolfgang Halbig as early as 2014 that they
21 thanked him for that they knew were crazy; did you see
22 that testimony?

23 A. I did not see that testimony.

24 Q. Okay. And you understand that she talked to
25 all your employees, right? She went and interviewed

1 people and figured out what they thought about
2 Mr. Halbig. Do you understand that happened?

3 A. That's what we hired her to do.

4 Q. She talked to you, too; right?

5 A. Yes.

6 Q. She went in there and testified under oath
7 on behalf of the company that the company, in 2014, knew
8 he was crazy and was thanking him for the things he was
9 providing that were crazy; right?

10 A. Well, that's not my understanding of it, so.

11 Q. Okay. Well, at least you, you here saying
12 that you knew by 2015 he was crazy, so certainly,
13 certainly we shouldn't see anything that Mr. Halbig said
14 on your show after 2015, should we.

15 A. I told you, the dates all blur together.

16 Q. Sure, Mr. Jones. I understand.

17 So, it could have been, heck, maybe just
18 yesterday you realized that Mr. Halbig was going to be a
19 huge liability for you; correct?

20 A. No, that was a long -- it was a long time
21 ago.

22 Q. Okay. Let's talk about a little 2015. You
23 said you stopped covering Sandy Hook in 2015. Put a ban
24 on it.

25 A. At some point.

1 Q. Right.

2 And I believe Mr. Reynal put Exhibit 31 in
3 front of you, right? You know, the list of videos?

4 A. Yes.

5 Q. What you made notes on?

6 A. No. I wasn't allowed to have the list.

7 Q. Right. But you made notes on that video?
8 On that list?

9 A. I watched it and I, yeah, I made some notes
10 so I can try to accurately answer the questions.

11 Q. Okay. And you testified from that that
12 stopping in July 2015, which is the last video we have
13 on that list in 2015, that for the next 16 months you
14 didn't cover Sandy Hook. That's what you said?

15 A. I did not testify from it. I wasn't allowed
16 to have it.

17 Q. No, I'm telling you right now, I'm just
18 telling you the video, July 2015, is the last one we
19 have on that list, and we know you reviewed that list to
20 calculate how long you didn't cover Sandy Hook, and
21 you're going to tell me from July 2015 for the next
22 16 months you didn't cover Sandy Hook.

23 A. Not in the list we have. We've tried to
24 find everything.

25 Q. Okay. Can you put up Exhibit 73 for me.

1 Now, you understand I don't have all your
2 videos about Sandy Hook, either. You understand that,
3 right? Correct, Mr. Jones?

4 A. If you say so.

5 Q. No, how about you say so. You understand
6 that; right?

7 A. We have located what we're able to find. We
8 believe it's almost all of it.

9 Q. No, you remember Rob Dew testifying as your
10 corporate representative, God knows where all the videos
11 are. Do you remember that?

12 A. Well, that's de-platforming, because --

13 MR. BANKSTON: Objection. Nonresponsive.

14 BY MR. BANKSTON:

15 Q. Do you remember Rob Dew saying that?

16 THE COURT: Just answer the question,
17 Mr. Jones.

18 THE WITNESS: No, I don't.

19 THE COURT: Thank you.

20 BY MR. BANKSTON:

21 Q. See that email right here? We've seen it a
22 few times in this lawsuit, haven't we?

23 A. Yes.

24 Q. This is Mr. Watson warning you not in
25 June 2015, not in March 2015, but he was warning you in

1 December 2015 that, this Sandy Hook stuff is killing us.
2 Correct?

3 A. Yes.

4 Q. I think we can surmise pretty easily from
5 this email that in July 2015 you did not put a ban on
6 Sandy Hook and, in fact, there are videos that we don't
7 have that Mr. Watson is talking about. Would agree with
8 me?

9 A. I mean, I don't know that and that's us
10 trying again to not talk about it.

11 Q. Is that what it is, is that you -- I think
12 that's Mr. Watson telling you, Mr. Jones, a warning;
13 right?

14 A. No. I went, I was telling people not to
15 cover it, too.

16 Q. Really.

17 A. Yes.

18 Q. Who were you telling that to?

19 A. Adan Salazar, Rob Dew, because they were
20 still convinced it didn't happen.

21 Q. Now, I know you said that Mr. Shroyer came
22 later so maybe he didn't hear the instruction; right?

23 A. Yes.

24 Q. Let's get to that in a minute. Let's talk
25 more about 2015, you talked about Dan Bidondi during

1 that period?

2 A. Yes.

3 Q. And you described him as a part-time
4 reporter; right?

5 A. If that, by the end, yes.

6 Q. If that. Maybe not even a part-time
7 employee; right?

8 A. Well, he was a full-time reporter for a
9 while and then we let him go and he went back to
10 Connecticut, or I think Rhode Island is where he lived,
11 and then he went out and did some --

12 Q. You have -- before we go any further I just
13 want to make sure what the testimony is. He was a
14 part-time reporter or he was but now he's a full-time
15 reporter? Which is it?

16 A. No, he entered some contest and stuff,
17 wasn't a reporter then, he came down to Austin and was a
18 full-time employee for like six months, if memory
19 serves, then we let him go, and then he asked if he
20 could still just do some stuff on the side over the
21 years and did some things.

22 Q. Did you see his testimony in the courtroom
23 when it was played? Were you here for that?

24 A. No.

25 Q. So, I'm guessing you also, unless you heard

1 it secondhand, you didn't see Mr. Bidondi testify that
2 he was a producer for the Alex Jones show and spent six
3 days a week with you. You didn't see that?

4 A. Well, that's not true.

5 Q. Okay. Mr. Bidondi is lying?

6 A. I think he's mistaken.

7 Q. Okay. And the truth is you didn't fire him
8 until late 2016, when he embarrassed you at a Trump
9 rally. Do you remember us talking about that, me and
10 you?

11 A. I don't remember that.

12 Q. Okay. I want to talk a little bit about
13 your final statement on Sandy Hook. Right? And you
14 testified that the reason that you did that final
15 statement in 2016 is so that you could tell the world
16 that you thought it really happened. Right?

17 A. That was the beginning of me doing that.

18 Q. The beginning of you doing that.

19 And I think, as we've seen in this case,
20 that the video in which you said, "If children were
21 killed at Sandy Hook my heart goes out to those parents.
22 But the problem is I've seen actors before and I know
23 when I'm watching a movie, and I know when I'm watching
24 something real?"

25 Do you remember seeing you say that in

1 this trial?

2 A. Yes, I did say that.

3 Q. And that was your final statement, looking
4 directly at camera, addressing the people who say
5 they're parents I see on TV, right, that was your final
6 statement.

7 A. But it wasn't my final statement.

8 Q. Sure wasn't. But it certainly wasn't to go
9 on the world and tell the world that it probably
10 happened. In fact, it was the exact opposite, wasn't
11 it, Mr. Jones?

12 A. I believe I actually say I think it happened
13 on the tape.

14 Q. The jury has that in evidence, they can
15 rewatch it.

16 Let's talk about 2017, the Megyn Kelly
17 interview. You remember you talked about how that was
18 filmed in April; right?

19 A. I'm not allowed to have notes, but I think
20 around then.

21 Q. I don't understand, Mr. Jones, that when you
22 were asked questions on direct examination about when
23 these events happened and were very quickly able to say
24 it happened in April of 2017, why when I ask the same
25 question you are very confused.

1 A. I said I think that, too, then. I don't
2 remember exactly. I think so.

3 Q. Well, in April 2017 the other thing you did
4 right after that interview is film a video called "Sandy
5 Hook Vampires Exposed," didn't you?

6 A. Yes.

7 Q. And in that video you were saying a lot of
8 things, like Sandy Hook wasn't even an operating school.
9 Do you remember seeing that being played in this court?

10 A. I believe so.

11 Q. Yeah. And that's something that Halbig told
12 you or that you were relying on Halbig for; right?

13 A. I had seen articles and things about it, as
14 well.

15 Q. You had seen articles that Sandy Hook wasn't
16 an operating school. Is that what you're testifying to
17 under oath right now?

18 A. I had seen people do articles about it. I
19 don't remember the exact articles.

20 Q. Sure.

21 All right. But what we can know is that
22 in 2017, shortly before these people brought their suit,
23 you were on InfoWars saying Sandy Hook wasn't an
24 operating school; right?

25 A. If you say so. Play the video.

1 Q. No, I want you, you can testify to that.

2 Do you even remember what was played in
3 this courtroom?

4 A. I've seen a lot. I think I did say that.

5 Q. I think you did, too.

6 You also remember you and Mr. Dew talking
7 about how much you wanted to see the bodies, there's no
8 bodies, they never showed us any bodies?

9 A. I don't know that, but I'll take your word
10 for it.

11 Q. Okay. And you'll agree with me in that
12 video you were saying a bunch of same stuff from
13 Wolfgang Halbig that the company knew from as far back
14 as 2014 was crazy. You're going to admit to that now,
15 or you're going to deny that?

16 A. I thought we were talking about Halbig in
17 2015.

18 Q. Well, we're now in 2017 and we had
19 actually -- you said 2015. Do you remember I asked you
20 about Mrs. Paz's testimony in 2014. Do you remember
21 that?

22 A. Yes.

23 Q. Okay. So, what I'm asking you now is that,
24 whether it's you in 2015 knowing it or whether Miss Paz
25 says the company knew it in 2014, regardless of which

1 one of those, that was years later, in 2017, InfoWars is
2 still publishing the things from Halbig it knows are
3 crazy.

4 A. I --

5 Q. Do you admit that?

6 A. I hadn't read those emails, so I don't --

7 Q. Hold on, Mr. Jones, hold on. You testified,
8 you, that in 2015 you knew Halbig was crazy.

9 A. Because he started saying that I was
10 covering up Sandy Hook.

11 Q. Correct.

12 So now, in 2017, two years later, you're
13 repeating all the things Halbig says, knowing he was
14 crazy.

15 A. Halbig wasn't the only one saying that. The
16 other --

17 MR. BANKSTON: Objection. Nonresponsive.

18 THE COURT: Sustained.

19 BY MR. BANKSTON:

20 Q. Let's talk about Plaintiff's Exhibit 21,
21 which is the video that your attorney played, that
22 17-minute video that was on I believe the day before
23 your Megyn Kelly video was going to air.

24 A. Yes, I think.

25 Q. And you were -- I think you would agree with

1 me that you were trying to urge NBC not to air it;
2 correct?

3 A. Yes.

4 Q. Now, I notice that you said in that video
5 that, the media never quotes what I said; right? They
6 always just try to paraphrase you, they don't actually
7 use the real quotes; right?

8 A. In general, yes.

9 Q. Okay. But ZeroPointNow, this anonymous
10 blogger, he did quote what you said and you said, he did
11 a good job, I want him to write for me maybe. Do you
12 remember hearing it in the video?

13 A. Yes.

14 Q. Then you went through what ZeroPointNow was
15 quoting about what you said about Sandy Hook; right?

16 A. Yes.

17 Q. Okay. And one of those things in 2017 was
18 you saying that the Sandy Hook website had no internet
19 traffic during the years when the shooting supposedly
20 happened?

21 A. That was my memory.

22 Q. Right. And that wasn't true.

23 A. I meant the quotes where I said I think
24 Sandy Hook happened, I like to think that that was
25 quoted. That was the whole point.

1 Q. Mr. Jones, in that video you went down and
2 read these questions about these false things about
3 Sandy Hook. You did that in that video.

4 A. Yes.

5 Q. And I notice you skipped the one about
6 Robbie Parker, you started to read it and then you
7 stopped reading it. Did you see where that happened?

8 A. No.

9 Q. And the reason that you were a little
10 hesitant, though, at that time to mention a parent's
11 name is because you knew legal threats were on the
12 horizon, didn't you.

13 A. No.

14 Q. Okay. The things you did say, though, that
15 were quoted from you that you wanted to repeat to your
16 audience, because they had done such a good job of
17 covering you, was also that the police were eating their
18 food inside of the school in the crime scene. Do you
19 remember that?

20 A. I don't remember.

21 Q. You don't remember what we just watched ten
22 minutes ago?

23 A. I missed that part.

24 Q. Okay. Do you remember them talking about
25 the FBI crime stat saying no one killed in Sandy Hook

1 that you read in that 2017 video?

2 A. That was the headlines, yes.

3 Q. What headline? Your headline.

4 A. That's what it said.

5 Q. No, it didn't, Mr. Jones. Do you admit that
6 now? The FBI did not have a crime stat.

7 A. I mean, I admit we later learned in the full
8 report they don't report those in that state, they do I
9 think everywhere else.

10 Q. Mr. Jones, we've heard a lot of testimony
11 about the FBI crime stat and how that got wrong. We
12 heard that from Mr. Salazar. Were you in the courtroom
13 for that?

14 A. I think I was in here for part of it.

15 Q. Okay. So you probably heard Mr. Salazar,
16 how he messed that up; right?

17 A. I mean, I think we admit we messed that up.

18 Q. Right.

19 But you were still saying it in 2017. At
20 a time where you want this jury to believe you were
21 saying it really happened, you in 2017 were saying the
22 FBI says nobody died.

23 A. I said on the video I thought it happened
24 five times.

25 Q. Just like Megyn Kelly said in your

1 interview, you want to have it all, don't you,
2 Mr. Jones.

3 A. No. I think Sandy Hook happened.

4 Q. Yeah, but if Sandy Hook happened, that means
5 there's not an FBI crime stat that nobody died, it means
6 that there was website traffic, it means nobody ate
7 their food inside the school. All these things you're
8 saying are false. Right?

9 A. I would have to review all of it again.

10 Q. You ten minutes ago, we saw a video saying
11 no EMTs entered the building. Do you remember that? Do
12 you remember saying that on --

13 A. I have to see the timelines of what you're
14 speaking about.

15 Q. I'm asking you if, when we broke from your
16 break, when your attorney put up the video that he
17 really wanted this jury to see how fair you were being
18 about Sandy Hook, you said no paramedics entered the
19 building. Right?

20 A. In a certain timeframe.

21 Q. What do you mean by that?

22 A. I would have to see the timeframe you're
23 talking about.

24 Q. What do you mean timeframe? You said they
25 never entered it.

1 A. Never entered it?

2 Q. That's what you said. You said that for
3 years.

4 A. Well, I think you're taking it out of
5 context.

6 Q. Right?

7 Because they had to keep them out of the
8 building because, otherwise, you would have to pay off
9 all the EMTs because they would get in the building and
10 they would see there's no bodies. That's what you told
11 your audience. You told them that many times.

12 A. I don't remember what you're talking about.

13 Q. Sure.

14 One of the things you talked about
15 yesterday is you complied with discovery; right? Said
16 that on the witness stand?

17 A. That's one of the things I talked about.

18 Q. Okay. One of the things that you were
19 ordered to do in this lawsuit, you were ordered to turn
20 over any text messages mentioning Sandy Hook. Right?

21 A. Yes.

22 Q. And you didn't have any; right?

23 A. Not that we could find.

24 Q. And you, in fact, told me in your testimony,
25 sworn testimony before coming to this courtroom, you

1 searched; right?

2 A. I did.

3 Q. Okay. Do you remember, were you here for
4 Mr. Shroyer's testimony?

5 A. Yes.

6 Q. Okay. You remember what Owen said, the
7 company has learned from its mistakes about Sandy Hook.
8 Do you remember that?

9 A. I did hear him say that.

10 Q. You agree with that?

11 A. Yeah, we've certainly learned from our
12 mistakes, got a lot better.

13 Q. Okay. Mr. Jones, I would like to show you
14 what's been marked as Plaintiff's Exhibit 130.

15 You've got it upside-down.

16 That's text messages between you and Paul
17 Watson, isn't it?

18 A. Yes.

19 Q. And they mention Sandy Hook, don't they?

20 A. Yes.

21 MR. BANKSTON: Plaintiffs move 130 into
22 evidence.

23 THE COURT: Any objection?

24 (Discussion between counsel off the
25 record.)

1 MR. REYNAL: No objection.

2 THE COURT: Plaintiff's 130 is admitted.

3 (*Plaintiff's Exhibit 130 admitted.*)

4 BY MR. BANKSTON:

5 Q. Let's zoom in on the little article up in
6 the corner, please. I want to walk over this to you so
7 we can kind of point, I know it's a little hard to read,
8 you may be able to read it a little better on your
9 screen. But this is a zoom of Mr. Watson has sent you a
10 screen shot from InfoWars.com; correct?

11 A. It appears to be.

12 Q. Yeah. And it has an article here; right?

13 A. Yes.

14 Q. And it says, "Staged, video shows hospital
15 using dummies in E.R. for Coronavirus footage." Is that
16 what it says?

17 A. I believe so.

18 Q. Let's go to the first message from
19 Mr. Watson. Read along with me, Mr. Jones. He says
20 this is a video --

21 A. Sorry, give me one second.

22 Q. No problem, take your time.

23 Are you ready?

24 A. Yeah, this -- you may not think it's a
25 problem, but it's a real one.

1 Q. Sure.

2 A. Just give me a second.

3 All right. Go ahead.

4 Q. Mr. Watson says, "This is a video of a
5 medical student training to intubate. Makes us look
6 ridiculous, suggesting this means COVID is fake. Sandy
7 Hook all over again."

8 Did I read that correctly?

9 A. Yes.

10 Q. Go to the next message.

11 What did you tell Mr. Watson?

12 A. I get it.

13 Q. Mr. Jones, it's true that this article is
14 right now live on InfoWars.com, I can pull it up; right?

15 A. I've never seen this text message, I guess
16 you guys got Paul's. My phone didn't save them. So,
17 that's fine with me.

18 Q. Your phone didn't save this text message.

19 A. I told you guys, I gave it to the lawyers
20 and said they drained the phone, didn't find that stuff.

21 Q. You gave it to lawyers, they were supposed
22 to find this. That's what your testimony is?

23 A. No, I searched it, as well. I mean, you
24 guys have all this stuff and you say we didn't give you
25 anything. It's ridiculous.

1 Q. Mr. Jones, you know how iPhone works, you've
2 had iPhone text messaging for several years now.

3 A. Yeah.

4 Q. What does it mean if the messages are in
5 blue? Whose messages are those? Whose phone is this
6 taken from?

7 A. I don't know whose phone this is taken from.
8 I mean, I just -- I turned the phone over and said, take
9 the stuff off.

10 Q. Can I have you look in the very bottom,
11 below the very bottom left corner. Is that your phone
12 number?

13 A. Yes.

14 So, you did get my text messages. And you
15 said you didn't. Nice trick.

16 Q. Yes, Mr. Jones. Indeed.

17 You didn't give this text message to me,
18 you don't know where this came from. Do you know where
19 I got this?

20 A. No.

21 Q. Mr. Jones, did you know that 12 days ago,
22 12 days ago, your attorneys messed up and sent me an
23 entire digital copy of your entire cell phone with every
24 text message you've sent for the past two years and,
25 when informed, did not take any steps to identify it as

1 privileged or protected in any way. And as of two days
2 ago it fell free and clear into my possession and that
3 is how I know you lied to me when you said you didn't
4 have text messages about Sandy Hook. Did you know that?

5 A. See, I told you the truth. This is your
6 Perry Mason moment. I gave them my phone and --

7 THE COURT: Mr. Jones, you need to answer
8 the question.

9 BY MR. BANKSTON:

10 Q. Did you know this happened?

11 A. No, I didn't know this happened. But I
12 mean, I told you I gave the phone over.

13 THE COURT: Just answer the question.

14 BY MR. BANKSTON:

15 Q. And you said, you said in your deposition,
16 you searched your phone. You said you pulled down the
17 text, did the search function for Sandy Hook. That's
18 what you said, Mr. Jones; correct?

19 A. And I had several, several different phones
20 with this number. But I did, yeah, of course. I mean,
21 that's why you got it.

22 Q. No, Mr. Jones. That's not why I have it.

23 A. My lawyer sent it to you, but I'm hiding it.
24 Okay.

25 THE COURT: Mr. Jones, please just answer

1 questions. There's no question.

2 Mr. Bankston, also only ask questions.

3 MR. BANKSTON: Sure.

4 BY MR. BANKSTON:

5 Q. Mr. Jones, in discovery you were asked, do
6 you have Sandy Hook text messages on your phone, and you
7 said no. Correct? You said that under oath, Mr. Jones,
8 didn't you?

9 A. I mean, if I was mistaken, I was mistaken.
10 But you got the messages right there.

11 Q. You know what perjury is; right? I just
12 want to make sure you know before we go any further.
13 You know what it is?

14 A. Yes, I do. I'm not a tech guy. I told you
15 I gave, in testimony, the phone to the lawyers or
16 whatever. So, you got my phone, but we didn't give it
17 to you.

18 Q. No, Mr. Jones, one more time, and please
19 remember if you need to assert the Fifth Amendment you
20 can, I need you to know that you can do that, but you
21 testified under oath previously that you personally
22 searched your phone for the phrase "Sandy Hook" and
23 there were no messages. You said that under oath.

24 A. Yes.

25 Q. You lied when you said it?

1 A. No, I did not lie.

2 Q. Emails, you testified yesterday you don't
3 have -- you got rid of your email ten years ago?

4 A. InfoWars email.

5 Q. Oh, so now it's InfoWars. You do use email,
6 though, don't you?

7 A. Not -- not -- it's like household stuff and
8 things like that.

9 Q. Ah. So, it's --

10 A. I don't personally send emails. My
11 assistant does. And it's for like, you know, broken
12 sprinklers or whatever.

13 Q. Okay. So you don't have emails about Sandy
14 Hook. You don't have emails about this case.

15 A. You got hundreds of thousands of our emails.

16 Q. None from you. And I didn't get hundreds
17 and thousands of emails, most of those, in fact, you
18 would agree with me, nearly every email you produced to
19 me outside of maybe a hundred are emails of Wolfgang
20 Halbig and Jim Fetzer, because they sent you thousands
21 of emails; right?

22 A. I mean, I quit opening email and using it
23 before Sandy Hook.

24 Q. Okay. So, in other words, if somebody was
25 to tell me, oh, I have emails from Mr. Jones that he

1 wrote about this case in the past couple of years, that
2 person would be lying? You're telling the truth?

3 A. Somebody else has got my InfoWars email,
4 because I haven't been using it.

5 Q. Let's not qualify it, Mr. Jones. You know
6 in this case you were asked to produce your emails, any
7 emails you had about Sandy Hook. You know you were
8 asked to do that; right?

9 A. Yeah.

10 Q. And you said you didn't have any.

11 A. I told my I.T. people. You've got all that
12 stuff.

13 Q. No, Mr. Jones, I'm saying in deposition,
14 under oath, sworn to God, you said you don't have any
15 emails for Sandy Hook because you don't use email;
16 right?

17 A. I mean, I -- I think I have -- I mean, I
18 haven't been using InfoWars email, it's got to be a
19 decade or longer in my memory. I don't -- with an
20 InfoWars.com email?

21 Q. No, Mr. Jones, no. That's not what I'm
22 asking.

23 You noticed when Mr. Watson emailed you,
24 right, he didn't have an InfoWars email address, does
25 he. He has like PaulWatson@sky.com. It's a U.K. email

1 address?

2 A. Yes.

3 Q. We asked for all emails. And you told us
4 you don't use email and there are no emails for Sandy
5 Hook. That's what you said under oath, isn't it.

6 A. There might be, I'm sure there might be like
7 privileged emails where like lawyers requesting
8 documents or stuff about the case.

9 Q. Mr. Jones.

10 A. Yeah.

11 MR. BANKSTON: First, objection.

12 Nonresponsive.

13 THE COURT: Sustained.

14 BY MR. BANKSTON:

15 Q. Did you testify under oath that you do not
16 use email and that there are no responsive emails
17 relating to this case. Did you testify to that?

18 A. Yes, I personally do not get on the internet
19 and sit there and use email. I never send emails
20 myself. Because I don't like it, I can't stand it,
21 there's just too many of them. That's a fact, that I
22 don't use email. I call people on the phone.

23 Q. Okay. Your Honor -- excuse me, Mr. Jones, I
24 would like show you this document.

25 Is that your email address?

1 A. Yes.

2 Q. Is that you writing an email? Is that an
3 email, Mr. Jones?

4 A. Yes. Yes.

5 Q. Okay. Thank you, Mr. Jones. So --

6 A. I'm reading it. This is from -- what's this
7 have to do with Sandy Hook?

8 Q. I'm not asking you a question other than
9 that's an email you sent. Let's start there. Can you
10 do that? Can you say that's an email you sent?

11 A. I must have dictated that to my assistant.

12 Q. Uh-huh.

13 Okay. So there are, would you agree
14 below, there are emails --

15 I'm done with that.

16 There are emails that you sent to your
17 lawyers, your staff and others concerning your business
18 operations that we requested for, Sandy Hook, other
19 topics that have been requested in this lawsuit, like
20 ZeroHedge? You would agree, those emails, they exist.
21 Do you agree with that or not?

22 A. I've dictated emails to people and you guys
23 have gone and gotten other people to give you their
24 email. But that is my personal email that I use for
25 personal stuff, has nothing to do with Sandy Hook,

1 unless lawyers have sent me emails there that my
2 assistant prints off for me.

3 Q. You talked yesterday about pre-packaged
4 food. Do you remember that? Do you know what I'm
5 talking about?

6 A. No.

7 Q. You don't remember yesterday testifying
8 about selling prepackaged food?

9 A. Oh, yes.

10 Q. And you sell these, some of them come in
11 tubs that you could, for instance, like store for a long
12 time in case something horrible happens; right?

13 A. Yes.

14 Q. Okay. And, in fact, you talk about that's
15 one of your big items, that's a big deal type thing on
16 InfoWars?

17 A. Sure.

18 Q. Okay. And you also talked about how it's a
19 tough business in a lot of ways because you only have
20 about a 20 percent profit margin on the sale of food?

21 A. Said about 20 to 40, yes.

22 Q. So, for instance -- so, for every hundred
23 thousand dollars in sales of food, that means you're
24 profiting \$20,000, maybe even up to \$40,000?

25 A. Yes.

1 Q. Okay. Show you another document, Mr. Jones.
2 This has been marked as Plaintiff's Exhibit 132.

3 Do you see that?

4 A. Yes.

5 Q. Those are text messages of Tim Fruge, the
6 operations manager of InfoWars; right?

7 A. Yes.

8 Q. And we requested information about your
9 revenues in this case. Do you remember that?

10 A. Yes.

11 Q. Didn't give us this, did you?

12 A. There was a lot of stuff.

13 Q. Yeah, you didn't even look through your text
14 messages, Mr. Jones, you hid them; right? Correct?

15 A. No.

16 Q. Okay.

17 A. I gave it to the lawyers, that's why you
18 have it.

19 Q. That's not why.

20 A. I mean, that is ridiculous.

21 MR. BANKSTON: Plaintiff's Exhibit 132.

22 THE COURT: Are you moving to admit it?

23 MR. BANKSTON: No -- yes, I'm sorry, could
24 we move to admit Exhibit 132 at this time?

25 THE COURT: Any objection?

1 MR. REYNAL: No.

2 THE COURT: Plaintiff's 132 is admitted.

3 (*Plaintiff's Exhibit 132 admitted.*)

4 BY MR. BANKSTON:

5 Q. Before we put that up, Mr. Jones, I just
6 want to make sure you understand something about these
7 emails. You understand that when your attorney sent me
8 your whole phone he didn't mean to do that. Do you
9 understand that?

10 MR. REYNAL: Objection, Your Honor.

11 MR. BANKSTON: I just want to make sure.
12 This is not discovery.

13 THE COURT: Well, I do think it's
14 important that, since we're discussing all of this, that
15 the jury understands discovery is a process that occurs
16 and concludes well before trial. What the lawyers say
17 isn't evidence, so we don't know if it was on accident
18 or on purpose, because we don't have evidence about
19 that. But what we do know is that it wasn't properly
20 turned over when it should have been.

21 There's no question, Mr. Jones.

22 So, you need to ask a question that does
23 not call for speculation. And even if Mr. Jones does
24 know, he would have gotten that information from
25 Mr. Reynal, his attorney, and so it would be protected,

1 most likely.

2 MR. BANKSTON: Most likely.

3 BY MR. BANKSTON:

4 Q. Mr. Jones, you know what Bates numbers are,
5 right? We've talked about --

6 A. I believe that's these?

7 Q. No, that's -- you're talking about an
8 exhibit sticker.

9 A. Okay.

10 Q. Yeah. You remember we've talked in
11 deposition before that there were Bates numbers on the
12 bottoms of documents that your company produces for this
13 lawsuit and they start with FSSTX and they have a long
14 number after that.

15 A. Okay.

16 Q. No Bates number on this, is there?

17 A. But it was -- I gave it to the lawyers, like
18 I told you at the start of this testimony.

19 MR. BANKSTON: Objection.

20 THE COURT: Mr. Jones, Mr. Jones, I know
21 it's hard but I know you can do it.

22 THE WITNESS: All right.

23 THE COURT: The question, there's no Bates
24 number on this document.

25 THE WITNESS: No, there's not.

1 THE COURT: Thank you.

2 And please don't interrupt me or the
3 lawyers.

4 BY MR. BANKSTON:

5 Q. Let's display 132. Let's go to the last two
6 messages. Can you pull those up?

7 Mr. Fruge -- Fru-JAY? Frooj? How do I
8 say his name, Mr. Jones?

9 A. Fru-JAY.

10 Q. All right. So, Mr. Fruge, would you agree
11 with me that pretty much every day he sent you an update
12 on how much the store has sold and sometimes he tells
13 you how much profit you have made; right?

14 A. Yes.

15 Q. And in this message he says 110 gross sales
16 in food equates to almost 70K pure profit. That's what
17 he told you.

18 A. That's what that says and that's not what it
19 does. So, I have a question about it, so.

Q. Okay. Can we go up to the, hey, Mr. Jones,
did you respond with a question?

22 A. I don't know.

Q. I don't know, either.

24 Let's pull up the big box. Yeah, that
25 one.

1 This shows some of the totals per day;
2 right?

3 Is that right?

4 A. Yes.

5 Q. Okay. And so, this is something Mr. Fruge
6 would send you from time to time; right?

7 A. Yes.

8 Q. Okay. All right. You can take that down,
9 Malisa.

10 I think it's clear, would you agree with
11 me, to everyone in this courtroom that the statement
12 that you only get 20 percent or 40 percent profit margin
13 on food was not true?

14 A. No, I can bring those numbers in here and
15 show that you.

16 Q. Well, I asked you for those numbers, I asked
17 you for those numbers and I didn't get them and instead
18 now I have this text message that says something totally
19 different.

20 Do you think in those circumstances anyone
21 should believe a word you say?

22 A. I'm confused by that, because that's --
23 that's not the margin on them. I wish that was the
24 margin.

25 Q. I'm going to show you what's marked

1 Plaintiff's 134. It's more messages with Mr. Fruge,
2 isn't it.

3 A. Yeah, these were our best sale numbers ever.
4 I remember this. It was during CPAC.

5 MR. BANKSTON: I would like to move 134
6 into evidence at this time.

7 THE COURT: Any objection?

8 MR. REYNAL: I don't see the relevance,
9 Your Honor, frankly, processing numbers in 2020?

10 MR. BANKSTON: I will make that connection
11 very quickly. If you would like to see it I would like
12 to discuss it.

13 THE COURT: So, the only objection is
14 relevance. Mr. Jones has recognized it, so I will
15 overrule the objection and admit Plaintiffs Exhibit 134.

16 (*Plaintiff's Exhibit 134 admitted.*)

17 BY MR. BANKSTON:

18 Q. One of the things that I think we've heard a
19 lot of in this courtroom is how you've lost millions,
20 lost everything. And the de-platforming, all of it has
21 caused you to lose everything. Right? We've heard
22 that?

23 A. Not everything.

24 Q. Indeed.

25 Can we bring up this bubble Malisa?

1 Now, we've seen some revenue numbers, you
2 remember that in Plaintiff's Exhibit 35 that you
3 testified about? Do you remember that?

4 A. Yes.

5 Q. Okay. And this is those revenue figures.
6 Would you agree with me that generally, generally
7 speaking, between 2016 and 2018 InfoWars was making
8 somewhere between a hundred and \$2,000 a day in sales,
9 do you agree with that?

10 A. Yes.

11 Q. And we see here that that's not always true,
12 is it, that some days you're making 800,000, \$745,000 a
13 day; right?

14 A. Yeah, you guys cherry picked the best
15 numbers we ever had. That's why I remember this.

16 Q. All right, Mr. Jones, so, what I'm saying
17 is, well after your de-platforming, your numbers kept
18 getting better. You kept having better days.

19 A. No, no, it's de-platforming, it's gone down.
20 This was -- this was CPAC, because I remember these
21 numbers.

22 Q. Sure.

23 But, you know, the problem is, Mr. Jones,
24 I have the very limited years of revenue that you
25 provided but I don't have anything else, do I, from you.

1 On that. Not until this; right?

2 A. You guys have been given the gross numbers.

3 They're accurate.

4 Q. Okay, Mr. Jones. \$800,000 a day, if you cut
5 that pace up, which I don't know what you did the rest
6 of the year because I don't have it.

7 A. Well, that's one day out of here.

8 Q. I'm asking you, Mr. Jones, to please let me
9 finish my question. Can you do that for me?

10 You need to respond verbally so she
11 understands.

12 A. Yes.

13 Q. She has to type it down.

14 Thank you, Mr. Jones.

15 If you're able to keep up that pace for
16 the rest of that year, you're able to launch more of
17 these specials and sales and you can keep going at
18 \$800,000 a day. That would come out to an average of
19 something like 300 million in a year. That's about
20 right?

21 A. Gross, yes.

22 Q. Okay. 300 million.

23 And then I think we saw your revenues from
24 20 -- so, we saw a few months of 2015 on the beginning
25 of that document; right? Do you remember that document

1 you relied on and testified about, Plaintiff's
2 Exhibit 35?

3 A. I mean, I saw it, yes.

4 Q. Okay. Now, add a couple of months from 2015
5 on it but not a whole lot of sales on that; right?

6 A. I believe so.

7 Q. So, we're mainly just talking about 2016,
8 2018, right? You remember that. 165 million. Do you
9 remember testifying to that?

10 A. Yes.

11 Q. Okay. And I know you testified about your
12 profit margins, but I think we've seen that now, that
13 you are saying that that's gross, so that maybe
14 doesn't -- you would have to calculate what your profit
15 is. Right?

16 A. Uh-huh.

17 Q. Okay. But after seeing --

18 THE COURT: I'm sorry, I need a "yes" or
19 "no."

20 THE WITNESS: Yes.

21 THE COURT: Thank you.

22 BY MR. BANKSTON:

23 Q. But after seeing all of that, all of those
24 millions and millions. And millions. Hundreds of
25 millions. Are you aware that your attorney has argued

1 this (indicating), this is what you should pay for the
2 damages that your company admits under oath, through
3 your corporate representative, it cost. Are you aware
4 of that? A dollar. Are you aware?

5 A. Yes, I know we were --

6 Q. Do you agree with that?

7 A. Do I agree with it?

8 Q. A dollar. Is that -- Are we done? I'll pay
9 it for you. Are we done?

10 A. What does the *New York Times* do about lying
11 about WMDs?

12 MR. BANKSTON: I don't think there's any
13 point in asking you any more questions, Mr. Jones.

14 THE WITNESS: Okay.

15 THE COURT: All right. Mr. Reynal.

16 MR. REYNAL: May I approach, Your Honor?

17 THE COURT: Me?

18 MR. REYNAL: Briefly.

19 THE COURT: Yes. Wait.

20 *(Whereupon a discussion was held at the*
21 *bench off the record.)*

22 REDIRECT EXAMINATION

23 BY MR. REYNAL:

24 Q. Mr. Jones, you have trusted your lawyers to
25 produce the relevant documents.

1 A. Yes.

Q. You cooperated with us in every way?

3 A. Yes.

4 Q. And you've trusted us to do a good job and
5 turn over what we need to turn over?

6 A. Yes.

7 Q. When we're supposed to turn it over?

8 A. Yes.

9 MR. REYNAL: No further questions.

10 THE COURT: Anything else, Mr. Bankston?

11 MR. BANKSTON: No, I think we're done with
12 Mr. Jones.

13 THE COURT: All right. Well, at this time
14 I'm going to send my jury back. You know the drill by
15 now. If you have questions for Mr. Jones, and only if,
16 this is an opportunity, not a requirement, you may each
17 individually write them down.

18 I would like to go ahead and finish this
19 before lunch, so go ahead and do those questions, any
20 questions you have, right at the beginning of the break.
21 Remember all of my instructions, there can be no
22 conversation between you about anything that has
23 happened so far.

24 All right. You may be excused.

25 | (Brief recess.)

1 *(The following proceedings were held in open*
2 *court outside the presence of the jury.)*

3 THE COURT: All right, on the record.

4 We've gone over the questions submitted by
5 the jury, we've eliminated some and I've -- I will be
6 reading some.

7 Any objection to those I will be reading,
8 Mr. Bankston?

9 MR. BANKSTON: None from the plaintiffs,
10 Your Honor.

11 THE COURT: Mr. Reynal, same questions.

12 MR. REYNAL: None from the defense.

13 THE COURT: All right. Let's bring the
14 jury in so we can all go to lunch. And the witness.

15 If you'll call in Mr. Jones, please,
16 deputy. Thank you.

17 *(Jury enters courtroom)*

18 THE COURT: All right, you may be seated.

19 All right, Mr. Jones, what happens now is
20 a little different. I'm going to read some questions to
21 you, and you answer them.

22 THE WITNESS: Okay.

23 THE COURT: You need to answer the
24 question exactly as it's presented, nothing extra. If
25 you don't understand it, you tell me that. Okay?

1 THE WITNESS: Okay.

EXAMINATION

15 THE COURT: So, I want to just ask you to
16 answer the question. Are the media that report on these
17 events accountable for any damages that occur from their
18 reporting?

19 | THE WITNESS: No.

THE COURT: Okay. If no, why doesn't Free Speech Systems capitalize on the opportunity to act better than the, quote, mainstream media, end quote, by not asserting information recklessly in their reporting and why does it not attempt to minimize harm from their reporting.

1 THE WITNESS: I agree. I've probably
2 learned a lot more about mass shootings now and that's
3 why we have one-one hundredth the coverage of Uvalde we
4 would normally have. And I think that was even too
5 much. But you've got to still report something
6 happened, but statistically, it's terrible what happens,
7 but it's very small compared to, say, automobile
8 accidents. So, I mean, I think we should report on what
9 the big death numbers are, like famine worldwide, 65
10 million plus have died the last year.

11 THE COURT: All right, thank you,
12 Mr. Jones.

13 Why do you think Sandy Hook was a
14 conspiracy?

15 THE WITNESS: Because I had seen so many
16 other things in history that were declassified that had
17 been staged or completely made up that, when you're a
18 hammer, everything starts looking like a nail.

19 And I saw really powerful forces
20 politicize it and blame gun owners, and so I guess at a
21 subconscious level I felt offended, and I knew I was
22 innocent and that I hadn't done what Adam Lanza did, and
23 so I think we subconsciously didn't want to believe it
24 because it was being blamed collectively on gun owners.
25 And that's in retrospect, years later, when I realized

1 that I did use to go overboard and believe everything
2 was staged, or almost everything. And so it's
3 definitely been a learning process in dealing with that.

4 But that's -- I mean, that's why I thought
5 it was staged, there were people out there that brought
6 up things that sounded credible and I had seen so much
7 stuff that was, you know, seen so much stuff that --

8 THE COURT: All right, thank you. You're
9 just going back over.

10 THE WITNESS: Yes.

11 THE COURT: Are you going to change the
12 way you present your news and comments on your show
13 based on what is happening today?

14 THE WITNESS: Yes, I'm going to do my
15 best, because I've never been like the corporate media
16 that lies on purpose, but we've definitely made big
17 mistakes and it's been terrible for everybody involved,
18 including myself. So I really do want to try to change
19 things and hopefully be a more positive force when it
20 comes to issues like mass shootings.

21 THE COURT: Your employees have
22 appreciated your ability to tell the truth and how you
23 allow them to express their own creativity and
24 individual personalities. In light of their obvious
25 loyalty, would you take personal responsibility for

1 their actions and decisions while at work for Free
2 Speech Systems and InfoWars?

3 THE WITNESS: I mean, I think the other
4 day -- I mean, I do. I am responsible for what they do.

5 THE COURT: Thank you.

6 If you are genuinely sorry and regretful
7 about how your words caused harm to grieving parents,
8 how do you plan to show, rather than just tell, that you
9 are sorry? Would you, for instance, join and promote
10 Ms. Lewis's Choose Love movement to help make our world
11 a better place for our children?

12 THE WITNESS: Absolutely. Regardless of
13 how it goes, I would invite her on the show in person
14 next week, I would invite her, and Neil I think is a
15 great person, I apologize to -- legitimately, I would
16 love to invite you guys on the show regardless so you
17 can actually meet the people, come on, and I think it
18 will be huge for everybody to see that. And I want
19 that -- I'm more concerned about that than I am even
20 monetary stuff. Because I do not want to be the Sandy
21 Hook guy and I want to show the world that what's been
22 misrepresented is not who I am but that I have done some
23 things that are wrong and I didn't do it on purpose and
24 I apologize and I want to make it better. Because --

25 THE COURT: Okay. Going forward, would

1 you consider providing better training to your employees
2 about how to be sensitive to individuals involved in a
3 tragic event while still taking a stance on government
4 or globalist agendas?

5 THE WITNESS: Yes. Absolutely. And we've
6 been trying to do that. And I was planning to shut down
7 InfoWars six years ago, when I got married I promised my
8 wife, I love the crew, I'm sick of this, and then I got
9 stuck in this fight with the system and everything else
10 that's going on and --

11 THE COURT: Okay.

12 THE WITNESS: Now I'm going to continue
13 InfoWars to make it even better and because other people
14 said they want to use this case to shut me down.

15 THE COURT: All right. Again, don't tell
16 us anything that anyone else has said.

17 THE WITNESS: I understand.

18 THE COURT: That is hearsay, disregard any
19 hearsay.

20 And I want you just to really just answer
21 the question.

22 THE WITNESS: Yes.

23 THE COURT: Nothing else.

24 As a person worried about and questioning
25 the authenticity of clipped videos, how much precaution

1 do you plan to take with the clipped videos presented on
2 your own show?

3 THE WITNESS: We take way more precaution
4 now than even mainstream media, because our listeners
5 get mad that we put something out that's fake. And it
6 has been a long time since we did that and we did do one
7 three weeks ago, and I rarely smash stuff but I did
8 smash up my office and because it pissed me off so bad
9 that we aired a, what do you call those, deep faith
10 video.

11 They're so good now that I just -- I
12 declare, I've developed an allergy to this stuff, like I
13 don't want to be wrong and I don't want to try to lie
14 like the corporate media does on purpose. And we did
15 air one about the CEO of Pfizer, who does enough bad
16 stuff on his own without us putting it -- we didn't do
17 it. It looked so good on Twitter that we put a fake
18 video out.

19 THE COURT: All right. Thank you.

20 The defense has testified InfoWars
21 mentioned Sandy Hook less than half a percent of the
22 time. Is it your stance that there should be no
23 punishment for breaking the law as long as it is done
24 only on rare occasions?

25 THE WITNESS: Could you read this again,

1 please?

2 THE COURT: Yes, I can.

3 The defense has testified InfoWars
4 mentioned Sandy Hook less than half a percent of the
5 time. Is it your stance that there should be no
6 punishment for breaking the law as long as it's done
7 only on rare occasions?

8 THE WITNESS: Well, this is civil, but
9 there is law of right and wrong, and we have paid a
10 massive price for the mistakes we made.

11 THE COURT: Okay, Mr. Jones --

12 THE WITNESS: Yes, read again, please.

13 THE COURT: Is it your stance that there
14 should be no punishment for breaking the law as long as
15 it's done only on rare occasions? "Yes" or "no."

16 THE WITNESS: That's -- it's not -- no, I
17 don't think, even the people do stuff on accident, I
18 think they're still somewhat culpability. But I did not
19 do this consciously --

20 THE COURT: No, Mr. Jones.

21 THE WITNESS: All right.

22 THE COURT: That's not the question.

23 What is your definition of blue collar?

24 THE WITNESS: I'm talking about people,
25 who I think are great, who are working so hard that they

1 don't have time to be involved in the weird esoteric
2 bubbles of the liberals or the conservatives or anybody.
3 I can't even keep track of what the liberals are doing
4 or the conservatives, the libertarians, or the
5 transhumanists.

6 THE COURT: So, your definition of blue
7 collar is people who work so hard they can't follow all
8 these things you're saying? What is your definition of
9 blue collar.

10 THE WITNESS: My definition of blue collar
11 is the working man and woman who keep their head down
12 and keep the whole world running and, in my experience,
13 generally are not even paying attention to politics.

14 THE COURT: Where did you get the idea the
15 jury are all blue collar?

16 THE WITNESS: I mean, I've seen
17 statistically, I read in news articles in Austin that a
18 lot of times it's --

19 THE COURT: Okay, don't tell us what
20 you've read, remember.

21 THE WITNESS: Well, where did I hear?
22 What did I think?

23 THE COURT: Yeah, it's a bad question,
24 where did you get the idea. Because if the place you
25 got the idea is from someone else, then you can't tell

1 us that. So it's a tricky question for me to ask you.
2 I'll agree with that.

3 Okay. What compensation would you believe
4 to be appropriate?

5 THE WITNESS: What compensation do I think
6 is appropriate. Despite these numbers that were
7 presented, the best week we had ever, that's when COVID
8 was starting and there was a run on storable food
9 nationwide, and so they --

10 THE COURT: Mr. Jones.

11 THE WITNESS: I'm just saying.

12 THE COURT: We don't do speaking
13 conversation.

14 What compensation would you believe to be
15 appropriate. It doesn't really matter about that,
16 it's --

17 THE WITNESS: I understand, but I can
18 answer the question, however, I wish I'm not barred
19 about talking about where we're at financially.

20 THE COURT: No, you are at this stage.
21 Right now the question is what compensation would be
22 appropriate.

23 THE WITNESS: Any compensation above
24 \$2 million will sink us and --

25 THE COURT: No, no.

1 THE WITNESS: -- we will be shut down.

2 THE COURT: No, appropriate not to you,
3 appropriate for what happened to them.

4 THE WITNESS: I mean, I think it's
5 appropriate for whatever -- whatever you decide you want
6 to do, because I'm really --

7 THE COURT: That's a great answer. Thank
8 you.

9 Have you ever made the distinction while
10 live on air to your viewers that you are speaking as a
11 pundit and not as a journalist?

12 THE WITNESS: Thousands and thousands of
13 times: But this is my opinion, you should research what
14 I'm saying, all this stuff we're covering is other
15 people's opinions, you should look into this. When I'm
16 really sure about something I'll be definitive about
17 something, and I'm usually right. We constantly, this
18 is talk radio on TV, we constantly explain these are
19 people's opinions, these are debates, these are ideas.
20 In fact, I used to play an intro that said, the views
21 expressed here aren't necessarily those of the host, the
22 guest, the callers, or the station.

23 THE COURT: All right.

24 THE WITNESS: Standard thing.

25 THE COURT: Are you aware that this jury

1 consists of 16 intelligent, fair-minded citizens who are
2 not being improperly influenced in any way?

3 THE WITNESS: Yes, I don't think that you
4 are operatives, I don't think that you are part of a
5 false flag. I don't think that you are bad people, I
6 think you're good people, and I just am very, very
7 critical about the whole process that I've been through
8 so far where I've given I believe everything over and
9 then I'm always told we didn't, even though we're seeing
10 it. And so that's why I'm really concerned about --

11 THE COURT: Mr. Jones.

12 THE WITNESS: -- a lot has been
13 misrepresented.

14 THE COURT: You've wandered off the
15 question.

16 THE WITNESS: Okay.

17 THE COURT: Do you feel you're getting a
18 fair trial? And if not, why not?

19 THE WITNESS: I'm barred from saying --

20 THE COURT: Succinctly, please.

21 THE WITNESS: I have been found guilty by
22 a judge, and I thought in America you're found guilty by
23 juries.

24 THE COURT: All right. There's no guilty
25 or innocence in civil court.

1 THE WITNESS: I understand.

2 THE COURT: Liable or not. Not guilty.

3 So, please don't use the -- and you're not a lawyer,
4 that's fine.

5 THE WITNESS: Okay. Well, I'm -- I've
6 been found liable, okay, by a judge, and in all the
7 other cases coming up I've already been found. So, this
8 is a dangerous new system they're setting up, and if
9 people want to get rid of that and get rid of America,
10 it's okay, I understand, we're an old republic, may be
11 time for us to go. Okay.

12 THE COURT: How many employees does
13 InfoWars have currently?

14 THE WITNESS: We've got about 80 workers
15 and contractors and -- about 80.

16 THE COURT: What was the annual revenue of
17 InfoWars in the most recent fiscal year?

18 THE WITNESS: I don't have that number in
19 front of me, but it was, I would imagine, 60, 70
20 million. Those have been our biggest years, 60 or 70
21 million gross. And so it would be -- the question is
22 how much money am I making?

23 THE COURT: No, the question is what was
24 the annual revenue of InfoWars in the most recent fiscal
25 year, but I think you said you don't know.

1 Do you know or not?

2 THE WITNESS: I -- it is like \$70 million,
3 right around there.

4 THE COURT: What are some specific changes
5 you've made to your business processes to increase
6 oversight and accountability at InfoWars.

7 THE WITNESS: I mean, I think I've
8 explained to people we're not just some little internet
9 show, and I'm telling myself this when I'm telling them
10 that, that you need to really pay attention to what
11 you're doing, because everything you say is going to get
12 looked at and zoomed in on. And even if you didn't mean
13 it for harm, it can get turned around for harm.

14 It's like the "Spiderman" thing, with
15 great power comes great responsibility. And I
16 definitely have underestimated how powerful InfoWars
17 was, because I'm always thinking of myself as small and,
18 you know, and then I've only realized the last four or
19 five years how big we were.

20 THE COURT: Thank you, Mr. Jones. I
21 appreciate your time and testimony. You may return to
22 counsel table.

23 THE WITNESS: Thank you.

24 THE COURT: All right, Mr. Reynal do you
25 have another witness for us?

1 MR. REYNAL: I do not, Your Honor.

2 THE COURT: So defense rests.

3 MR. REYNAL: Yes, Your Honor.

4 THE COURT: Plaintiffs rest and close.

5 MR. BANKSTON: Correct, Your Honor.

6 THE COURT: Defense rests and close.

7 MR. REYNAL: Yes, Your Honor.

8 THE COURT: All right. Ladies and
9 Gentlemen of the Jury, that concludes the evidence in
10 this case.

11 It is now necessary for the attorneys and
12 myself to spend some time preparing the charge for
13 submission to you. I'm not able to know in advance
14 exactly how long it will take, it generally takes longer
15 than we think. We have been working on it in the
16 evenings and on breaks, but we do still have more work
17 to do. It's 12:30, I'm going to try to get it done over
18 lunch.

19 Your lunch is waiting for you, so I'm not
20 going to give you an end time. We will try to be back
21 in an hour, hour and a half, so don't wait to eat. But
22 you're going to be in recess until now, until I bring
23 you back.

24 Please remember, the evidence is concluded
25 but you have not yet been sent to deliberate. This

1 means you may not yet discuss the case. And as always,
2 you still may not do any research into anything about
3 the case. So, go and enjoy your lunch and we'll see you
4 as soon as we can. Thank you.

5 *(Whereupon the jurors exit the courtroom
6 and the following proceedings were held in open court)*

7 Okay, we've just had one of our informal
8 charge conferences and there are some words in the
9 version you have, Version 3, which are italicized and we
10 are going to remove the italics and put those in normal
11 font. And then that will be the final version. Other
12 than that, there are no other edits to be made.

13 Do you accept this charge of the Court to
14 be proper, Mr. Bankston?

15 MR. BANKSTON: Yes, the plaintiffs do.

16 THE COURT: Mr. Reynal.

17 MR. REYNAL: Yes, Your Honor.

18 THE COURT: Wonderful. We can go off the
19 record.

20 *(Discussion between court and counsel off the
21 record.)*

22 THE COURT: Yes, on the record,
23 Mr. Reynal.

24 MR. REYNAL: I wanted to renew my motion
25 for directed verdict.

1 THE COURT: Okay, that's -- that is still
2 denied.

3 Okay. We can go back off the record.

4 *(Noon recess.)*

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1 WEDNESDAY, AUGUST 3, 2022 - AFTERNOON SESSION

2 *(The following proceedings were held in open*
3 *Court in the presence of the jury)*

4 THE COURT: All right, you may be seated.

5 Okay. Welcome back, everybody.

6 Ladies and Gentlemen of the Jury, at this
7 time I will present to you the Charge of the Court.
8 Copies of the charge have been made for each of you, and
9 you may read along with me if you wish. However, during
10 the arguments of counsel, do not read or refer to it
11 unless specifically requested to do so by counsel. It
12 can be read to you again later by the presiding juror,
13 and you may refer to it during your deliberations. So
14 this is not the last time you will hear it.

15 Also, after I read the charge, under the
16 rules the attorneys are permitted to present to the jury
17 their summation of the evidence in light of this charge.
18 Under the rules, the attorney for the plaintiff is
19 permitted to proceed first, then the attorney for the
20 defendant, and then the attorney for the plaintiff is
21 permitted to close.

22 The attorneys have a specified maximum
23 time to argue and have asked me to give a few minutes'
24 warning before their portion of the argument is
25 finished. So, if I say, for example, "ten minutes" or

1 "five minutes," I am not scolding the attorneys, I'm
2 just letting the attorneys know where they are in their
3 argument.

4 Counsel, I'll ask that you let me know
5 you've heard me so I don't have to interrupt you more
6 than once.

7 We will very likely take a break in the
8 middle of the arguments, maybe even two short ones. All
9 right.

Members of the Jury: After the closing arguments, you will go to the jury room to decide the case, answer the questions that are attached, and reach a verdict. You may discuss the case with other jurors only when you are all together in the jury room.

1 you through my Judicial Executive Assistant at the
2 number previously provided.

3 Any notes you have taken are for your own
4 personal use. You may take your notes back into the
5 jury room and consult them during deliberations, but do
6 not show or read your notes to your fellow jurors during
7 your deliberations. Your notes are not evidence. Each
8 of you should rely on your independent recollection of
9 the evidence and not be influenced by the fact that
10 another juror has or has not taken notes.

11 You must leave your notes with the
12 Judicial Executive Assistant when you leave the
13 courthouse. We will make sure your notes are kept in a
14 safe, secure location and not disclosed to anyone.
15 After you complete your deliberations, we will collect
16 your notes; and when you are released from jury duty we
17 will promptly destroy your notes so that nobody can read
18 what you wrote.

19 Alternate jurors serve a valuable purpose.
20 Without them, much time and money would be spent in the
21 re-trial of cases. They're not in here, but I want to
22 thank my alternate jurors in this case. They have been
23 released from their oath, and they are free to go about
24 their business, including observing the remainder of the
25 trial if they would like to do so. And I already

1 explained that to them.

2 Here are the instructions for answering
3 the questions:

4 1. Do not let bias, prejudice, or
5 sympathy play any part in your decision. Everyone,
6 including me, has feelings, assumptions, perceptions,
7 fears, and stereotypes that we may not be aware of but
8 that can affect what we see and hear, how we remember
9 what we see and hear, and how we make decisions.
10 Because you are making important decisions as jurors in
11 this case, you must evaluate the evidence carefully, and
12 you must not jump to conclusions based on personal likes
13 and dislikes, generalizations, gut feelings, prejudices,
14 sympathies, stereotypes, or biases. Techniques to
15 identify and check one's implicit biases include slowing
16 down and examining your thought processes thoroughly to
17 identify where you may be relying on reflexive, gut
18 reactions or making assumptions that have no basis in
19 the evidence; asking yourself whether you would view the
20 evidence differently if the players were reversed or
21 other types of people were involved; and listening
22 carefully to the opinions of your fellow jurors, each of
23 whom brings a different, valid perspective to the table.
24 Our system of justice is counting on you to render a
25 just verdict based on the evidence, not on biases.

1 2. Base your answers only on the evidence
2 admitted in Court and on the law that is in these
3 instructions and questions. Do not consider or discuss
4 any evidence that was not admitted in the courtroom.

5 3. You are to make up your own minds
6 about the facts. You are the sole judges of the
7 credibility of the witnesses and the weight to give
8 their testimony. But on matters of law, you must follow
9 my instructions.

10 4. If my instructions use a word in a way
11 that is different from its ordinary meaning, use the
12 meaning I give you, which will be a proper legal
13 definition.

14 5. All the questions and answers are
15 important. No one should say that any question or
16 answer is not important.

17 6. Answer "yes" or "no" to all questions
18 unless you are told otherwise. A "yes" answer must
19 be based on a preponderance of the evidence unless you
20 are told otherwise. Whenever a question requires an
21 answer other than "yes" or "no," your answer must be
22 based on a preponderance of the evidence unless you are
23 told otherwise.

24 The term "preponderance of the evidence"
25 means the greater weight of credible evidence presented

1 in this case. If you do not find that a preponderance
2 of the evidence supports a "yes" answer, then answer
3 "no." A preponderance of the evidence is not measured
4 by the number of witnesses or by the number of documents
5 admitted in evidence. For a fact to be proved by a
6 preponderance of the evidence, you must find that the
7 fact is more likely true than not true.

8 7. Do not decide who you think should win
9 before you answer the questions and then just answer the
10 questions to match your decision. Answer each question
11 carefully, without considering who will win. Do not
12 discuss or consider the effect your answers will have.

13 8. Do not answer questions by drawing
14 straws or by any method of chance.

15 9. Do not trade your answers. For
16 example, do not say, "I will answer this question your
17 way if you answer another question my way."

18 10. The answers to the questions must be
19 based on the decision of at least ten of the twelve
20 jurors. The same ten jurors must agree on every answer.
21 Do not agree to be bound by a vote of anything less than
22 ten jurors, even if it would be a majority.

23 11. A fact may be established by direct
24 evidence or by circumstantial evidence or both. A fact
25 is established by direct evidence when proved by

1 documentary evidence or by witnesses who saw the act
2 done or heard the words spoken. A fact is established
3 by circumstantial evidence when it may be fairly and
4 reasonably inferred from other facts proved.

5 12. You are the sole judges of the
6 credibility or believability of each witness and the
7 weight to be given to his or her testimony. In weighing
8 the testimony of a witness, you should consider their
9 relationship to the party; their interest, if any, in
10 the outcome of the case; their demeanor or manner of
11 testifying; their opportunity to observe or acquire
12 knowledge concerning the facts about which they have
13 testified; their candor, fairness and intelligence; and
14 the extent to which they have been supported or
15 contradicted by other credible evidence. You may, in
16 short, except or reject the testimony of any witness in
17 full or in part.

18 As I have said before, if you do not
19 follow these instructions you will be guilty of juror
20 misconduct and I might have to order a new trial and
21 start this process over again. This would waste your
22 time and the parties's money and it would require the
23 taxpayers of this county to pay for another trial. If a
24 juror breaks any of these rules, tell that person to
25 stop and report to me immediately.

1 Cause of action number 1. Defamation
2 committed against Neil Heslin.

3 You are instructed that Defendants Alex
4 Jones and Free Speech Systems, LLC committed defamation
5 against Neil Heslin. You are further instructed that
6 Defendants Alex Jones and Free Speech Systems, LLC
7 published statements that were false and defamatory
8 concerning Neil Heslin on June 26, 2017, and July 20th,
9 2017.

10 "Publish" means intentionally or
11 negligently to communicate the matter to a person other
12 than Neil Heslin who is capable of understanding its
13 meaning.

14 "False" means that a statement is not
15 literally true or not substantially true. A statement
16 is not substantially true if, in the mind of the average
17 person, the gist of the statement is more damaging to
18 the person affected by it than the literally true
19 statement would have been.

20 "Defamatory" means an ordinary person
21 would interpret the statement in a way that tends to
22 injure a living person's reputation and thereby expose
23 the person to public hatred, contempt or ridicule or
24 financial injury or to impeach the person's honesty,
25 integrity, virtue, or reputation.

1 You are further instructed that Defendants
2 Alex Jones and Free Speech Systems, LLC knew or should
3 have known in the exercise of ordinary care that the
4 statements published on June 26, 2017, and July 20th,
5 2017, were false and had the potential to be defamatory.

6 "Ordinary care" concerning the truth of
7 the statement and its potential to be defamatory means
8 that degree of care that would be used by a person of
9 ordinary prudence under the same or similar
10 circumstances.

11 You are further instructed that at the
12 time that Defendants Alex Jones and Free Speech Systems,
13 LLC published the statements on June 26, 2017, and
14 July 20th, 2017, Defendants knew the statements were
15 false as it related to Neil Heslin or that Defendants
16 published the statements with a high degree of awareness
17 that they were probably false to an extent that
18 Defendants, in fact, had serious doubts as to the truth
19 of the statements.

20 Under Texas law, Defendants are
21 responsible for all damages proximately caused by their
22 actions which were reasonably foreseeable, including
23 damages, if any, caused by participating in this
24 litigation.

25 Question No. 1:

1 What sum of money, if paid now in cash,
2 would fairly and reasonably compensate Neil Heslin for
3 his damages, if any, that were proximately caused by
4 Defendant's defamatory publications on June 26, 2017,
5 and July 20th, 2017?

6 "Proximate cause" means a cause that was a
7 substantial factor in bringing about an injury and
8 without which cause such injury would not have occurred.
9 In order to be a proximate cause, the act or omission
10 complained of must be such that a person using ordinary
11 care would have foreseen that the injury, or some
12 similar injury, might reasonably result therefrom.
13 There may be more than one proximate cause of an injury.

14 "Mental anguish" means the emotional pain,
15 torment, and suffering experienced by Neil Heslin.

16 Do not include any amount for any
17 condition existing before the defamatory publications,
18 except to the extent, if any, that such other condition
19 was aggravated by any injuries that resulted from the
20 defamatory publications.

21 Consider the elements of damages listed
22 below and none other. Consider each element separately.
23 Do not award any sum of money on any element if you have
24 otherwise, under some other element, awarded a sum of
25 money for the same loss. That is, do not compensate

1 twice for the same loss, if any. Do not include
2 interest on any amount of damages you find.

3 Answer separately in dollars and cents for
4 the damages listed below, if any.

5 A. Injury to reputation that Neil Heslin
6 sustained in the past. Answer.

7 And there is a spot for an answer.

8 Injury to reputation that, in reasonable
9 probability, Neil Heslin will sustain in the future.

10 Sorry, that was B.

11 And there's an answer.

12 C. Mental anguish that Neil Heslin
13 sustained in the past. Answer.

14 D. Mental anguish that, in reasonable
15 probability, Neil Heslin will sustain in the future.

16 Answer.

17 Cause of action number 2. Intentional
18 infliction of emotional distress committed against Neil
19 Heslin and Scarlett Lewis.

20 You are instructed that Defendants Alex
21 Jones and Free Speech Systems, LLC committed intentional
22 infliction of emotional distress against Neil Heslin and
23 Scarlett Lewis in a continuing course of conduct from
24 2013 to 2018.

25 "Intentional infliction of emotional

1 "distress" means the defendant acts intentionally or
2 recklessly with extreme and outrageous conduct to cause
3 the plaintiff emotional distress, and the emotional
4 distress suffered by the plaintiff was severe.

5 "Extreme and outrageous conduct" means the
6 conduct has been so outrages in character, and so
7 extreme in degree, as to go beyond all possible bounds
8 of decency and to be regarded as atrocious and utterly
9 intolerable in a civilized community.

10 Under Texas law, Defendants are
11 responsible for all damages proximately caused by their
12 actions which were reasonably foreseeable, including
13 damages, if any, caused by participating in this
14 litigation.

15 Question number 2: What sum of money, if
16 paid now in cash, would fairly and reasonably compensate
17 Neil Heslin for his damages, if any, that were
18 proximately caused by Defendant's intentional infliction
19 of emotional distress from 2013 to 2018?

20 "Proximate cause" means a cause that was a
21 substantial factor in bringing about an injury, and
22 without with cause such injury would not have occurred.
23 In order to be a proximate cause, the act or omission
24 complained of must be such that a person using ordinary
25 care would have foreseen that the injury, or some

1 similar injury, might reasonably result therefrom.

2 There may be more than one proximate cause of an injury.

3 "Mental anguish" means the emotional pain,
4 torment and suffering experienced by Neil Heslin.

5 Do not include any amount for any
6 condition existing before the extreme and outrageous
7 conduct except to the extent, if any, that such other
8 condition was aggravated by any injuries that resulted
9 from the extreme and outrageous conduct.

10 Consider the elements of damages listed
11 below and none other. Consider each element separately.

12 Do not award any sum of money on any element if you have
13 otherwise, under some other element, awarded a sum of
14 money for the same loss. That is, do not compensate
15 twice for the same loss, if any. Do not include
16 interest on any amount of damages you find.

17 Answer separately in dollars and cents for
18 each person for the damages listed below, if any.

19 A. Mental anguish that Neil Heslin
20 sustained in the past. And then Answer and there's a
21 line.

22 B. Mental anguish that, in reasonable
23 probability, Neil Heslin will sustain in the future, and
24 there's an answer.

25 Question number 3.

1 What sum of money, if paid now in cash,
2 would fairly and reasonably compensate Scarlett Lewis
3 for her damages, if any, that were approximately caused
4 by Defendant's intentional infliction of emotional
5 distress from 2013 to 2018?

6 "Proximate cause" means a cause that was a
7 substantial factor in bringing about an injury, and
8 without which cause such injury not have occurred. In
9 order to be a proximate cause, the act or omission
10 complained of must be such that a person using ordinary
11 care would have foreseen that the injury, or some
12 similar injury, might reasonably result therefrom.
13 There may be more than one proximate cause of an injury.

14 "Mental anguish" means the emotional pain,
15 torment, and suffering experienced by Scarlett Lewis.

16 Do not include any amount for any
17 condition existing before the extreme and outrageous
18 conduct, except to the extent, if any, that such other
19 condition was aggravated by any injuries that resulted
20 from the extreme and outrageous conduct.

21 Consider the elements of damages listed
22 below and none other. Consider each element separately.
23 Do not award any sum of money on any element if you have
24 otherwise, under some other element, awarded a sum of
25 money for the same loss. That is, do not compensate

1 twice for the same loss, if any. Do not include
2 interest on any amount of damages you find.

3 Answer separately in dollars and cents for
4 each person for the damages listed below, if any.

5 A. Mental anguish that Scarlett Lewis
6 sustained in the past. Answer.

7 B. Mental anguish that, in reasonable
8 probability, Scarlett Lewis will sustain in the future.

9 Answer.

10 Presiding juror.

11 When you go into the jury room to answer
12 the questions, the first thing thing you need to do is
13 choose a presiding juror.

14 The presiding juror has these duties:

15 A. Have the complete charge read aloud if
16 it will be helpful to your deliberations;

17 B. Preside over your deliberations,
18 meaning manage the discussions, and see that you follow
19 these instructions;

20 C. Give written questions or comments to
21 the Judicial Executive Assistant, who will give them to
22 the judge;

23 D. Write down the answers on which you
24 agree;

25 E. Get the signatures for a verdict

1 certificate; and.

2 F. Notify the Judicial Executive
3 Assistant that you have reached a verdict.

4 Do you understand the duties of the
5 presiding juror?

6 That's a question for my jury. Everyone
7 has nodded or said "yes." All right.

8 If you do not, please tell me now.

9 Instructions for signing the verdict
10 certificate:

11 1. Unless otherwise instructed, you may
12 answer the questions on a vote of ten jurors. The same
13 ten jurors must agree on every answer in the charge.
14 This means you may not have one group of ten jurors
15 agree on one answer and a different group of ten jurors
16 agree on another answer.

17 2. If ten jurors agree on every answer,
18 those ten jurors sign the verdict. If eleven jurors
19 agree on every answer, those eleven jurors sign the
20 verdict. If all twelve of you agree on every answer,
21 you are unanimous, and only the presiding juror signs
22 the verdict.

23 3. All jurors should deliberate on every
24 question. You may end up with all twelve of you
25 agreeing on some answers while only ten or eleven of you

1 agree on other answers. But when you sign the verdict,
2 only those ten who agree on every answer will sign the
3 verdict.

4 And then you'll see the original copy has
5 my signature.

6 Verdict certificate.

7 Check one:

8 Our verdict is unanimous, all twelve of us
9 have agreed to each and every answer. The presiding
10 juror has signed the certificate for all twelve of us.

11 And there's a line for the signature and
12 the printed name of the presiding juror.

13 Or, our verdict is not unanimous, eleven
14 of us have agreed to each and every answer and have
15 signed the certificate below.

16 Or, our verdict is not unanimous, ten of
17 us have agreed to each and every answer and have signed
18 the certificate below.

19 And then you will see there are eleven
20 lines for signatures and printed names.

21 All right. At this time we were going to
22 hear from the attorneys. And for the plaintiff it will
23 be Mr. Farrar; is that right?

24 MR. FARRAR: Yes, Your Honor.

25 THE COURT: All right. Thank you.

1 MR. FARRAR: Thank you.

2 May it please the Court.

3 THE COURT: Yes.

4 MR. FARRAR: The truth lives at InfoWars.

5 That was at the very end of the video that the
6 defendants played today with Mr. Jones on the stand.

7 That was the video that, supposedly, the idea was this
8 is Alex Jones telling the world, finally, once and for
9 all, I think Sandy Hook was real. Believe me, I think
10 it was real.

11 But what you notice when you're looking at
12 that that video is he goes to a screen and he points out
13 "FBI Reports No Deaths At Sandy Hook," he goes down and
14 he says, "No EMS Allowed in the Building." He said the
15 police ate lunch inside. Lie, lie, lie. None of that's
16 true.

17 His effort to tell the world he believes
18 Sandy Hook was real was filled with the exact same thing
19 he has said for years at that point. The actual truth
20 is the day Sandy Hook happened Alex Jones planted a seed
21 of misinformation that lasted a decade, the most
22 horrific decade of misinformation in American history.
23 And he just watered that seed over and over until it
24 finally bore fruit: Cruelty and money. That's what it
25 bore.

1 When Neil and Scarlett heard about what
2 was going on, different times early in 2013 or '14, they
3 had some choices to make. And the first choice was,
4 let's try to ignore this. Let's not dignify this, this
5 is crazy. People won't believe this. Nobody is going
6 to believe that. This is real. Nobody has seen this
7 type of level of misinformation before. Ever. They
8 don't believe it could be happening to them.

9 So, they try to ignore it for years and it
10 doesn't work. 2017, we know that Neil went on the Megyn
11 Kelly show. He was invited and he said, I don't think I
12 really want to, and then he decided, if I can appeal to
13 Alex Jones' humanity, he's a father, he'll stop. That's
14 what kind of people. Neil doesn't go on the show and
15 say, stop it, Alex, that's a lie. Stop your
16 misinformation. He appeals to his heart and says, I
17 hope you have a Happy Father's Day with your kids.
18 You're lucky, you're blessed. I don't have mine. That
19 was his way of saying, that's a lie and stop it.

20 It didn't work. They asked for a
21 retraction. Didn't work. There was never a retraction.
22 What Scarlett and Neil didn't appreciate at the time was
23 that money was much more powerful than truth to Alex
24 Jones.

25 You heard Miss Karpova testify there are

1 different truths. No, there's not. There's the truth,
2 and then there's everything else. There may be
3 different levels of truth at InfoWars, but not in
4 reality. We don't have different levels of truth. We
5 have one truth.

6 There is one truth. Jesse lived. Jesse
7 died December 14th, 2012, at the Sandy Hook Elementary
8 School shooting. Jesse died a hero. He saved nine
9 little kids that day. Jesse's life mattered. His
10 legacy matters.

11 Mr. Bankston at the beginning of the case
12 told you about two different rules we have in society.
13 I'm going to add one. He told you you can't recklessly
14 tell lies about somebody. He told you you can't
15 recklessly tell lies about something important to
16 someone. And here is the rule I'm going to add: If you
17 do, you have to pay for it. And that's what we're here
18 to do. To make sure Alex Jones and his company pays for
19 the reckless lies that they told about these folks.

20 So, why do we have these rules? Because
21 speech is free, but you have to pay for your lies.
22 That's what Mr. Bankston said in opening. You have to
23 pay for the harm that they cause people. If I go walk
24 into a Pottery Barn and start smashing vases, nobody
25 looked at me and says, well, just say you're sorry and

1 go about your way. You have to pay for that loss. You
2 have to be held accountable.

3 Remember what Scarlett said just yesterday
4 when she was talking about forgiveness and she said,
5 look, rape victims can forgive the assailant, but that
6 doesn't mean that person isn't held accountable for what
7 they did. They go to prison.

8 This is obviously a civil case, but this
9 is still your opportunity to hold Alex Jones accountable
10 for the harm he did to Scarlett and the harm he did to
11 Neil.

12 So, if we follow the rules, this is how it
13 works, this is from Fred Zipp. You follow the rules,
14 you check your sources. You do something to make sure
15 that the information that you're about to tell the world
16 is accurate. If you're making accusations about people,
17 there has to be solid evidence that that is true.

18 And here is the thing, if you're wrong,
19 and people are wrong, this isn't the first defamation
20 case that's ever been brought in front of the jury,
21 right? People get it wrong and you make a retraction.
22 You minimize the harm, you minimize the damage. You
23 don't keep doing it year and year and year, over and
24 over and over again. That's chaos.

25 We know the rules were broken. We know

1 from -- this is Miss Paz, she testified via deposition.
2 Miss Karpova sat up on the stand, she was a corporate
3 representative for Free Speech, Miss Paz testified at
4 deposition she was also a corporate representative. And
5 I know that may not mean a lot to you, but what it's
6 saying is, this is the company speaking, because
7 companies can't speak. So, this is Free Speech Systems
8 speaking.

9 And what does she say? "I don't think,"
10 this is the question:

11 "I don't think we need to split a lot of
12 hairs about what was fake -- what fake is or is
13 not. And would you agree with me that the
14 reason that we don't need to do this -- that is
15 because many, many times people on InfoWars,
16 including Mr. Jones, has unequivocally said
17 that Sandy Hook is completely false, totally
18 synthetic, manufactured. Do you agree with
19 that."

20 She said, "I agree those are direct
21 quotes on Mr. Jones' opinions, yes."

22 We know he broke the rules, we know it
23 from the jury charge you were just read. You were
24 instructed that there was defamation against Neil Heslin
25 and that there was intentional infliction of emotional

1 distress against both Neil and Scarlett. And in case
2 you're wondering why defamation with Neil, is because he
3 was singled out by name.

4 Rob Jacobson. You remember him, he was a
5 reporter who left. He testified, I heard them, I heard
6 InfoWars making accusations based on extremely narrow
7 cross-sections of information; that I did my best to
8 make the writers and the staff aware that what they were
9 doing was speculation based on not enough information.
10 It bothered me. That bothered me that I felt they had
11 no concept of journalistic ethics. That's what he's
12 telling the folks at InfoWars.

13 And if you think for a second that he
14 misremembered what he said, Adan Salazar confirmed it.
15 He testified in deposition, he was asked, "Did
16 Mr. Jacobson ever advise you of his concerns about
17 relying on Mr. Halbig as a source for reporting that
18 Sandy Hook was a scripted event?

19 He says, "Mr. Jacobson I think did raise
20 concerns. But I didn't really regard them, because
21 Mr. Jacobson had some wild theories about a lot of
22 things." So they ignored him.

23 And what did Mr. Salazar actually want to
24 do? He wanted to make bumper stickers and t-shirts that
25 said "Halbig Was Right."

1 The seed was planted. The misinformation
2 was planted. The day of the shooting, December 14th,
3 2012, Alex Jones was on air and he's calling it a false
4 flag already. He has no information. Nobody has any
5 information. He criticized the media because they're
6 trying to get information out as they get it in, and
7 that's a criticism. He says, oh, there's this many
8 people that were killed and that number changes as
9 information becomes available.

10 He says that's -- that's the conspiracy.
11 That's the thing that we should be worried about. Not
12 that he goes on instantly and says, this is a false
13 flag, that maybe it's CIA or FBI agents that killed
14 these children, or maybe they didn't die at all. That's
15 not what we have to worry about. We have to worry about
16 the media, the CNN folks who changed the number of
17 deaths.

18 The videos are in evidence. I'm going to
19 go through a few, I'm not actually going to play the
20 videos but I'm to go through just some of the things he
21 said. 2013, inside job. Inside is government. He
22 thinks the CIA maybe. And one thing that has struck me
23 this whole -- whole trial is this idea that there was a
24 time Alex Jones thought the government killed the
25 children, then there was a time he thought it was a

1 complete hoax and it never happened, and then there was
2 a time he thought the government killed the children.

3 He just said on the stand today that maybe
4 the FBI killed those children. How is that any less
5 painful to these people? How is it any less painful to
6 hear, you're a crisis actor and this never happened, or,
7 you actually did have a child, but by the way, the
8 government killed them for some political gain. That's
9 not less painful to them. That's not an excuse.

10 2014: Total hoax, photos of kids still
11 alive they said died.

12 2015: Synthetic, completely fake, with
13 actors.

14 This is Exhibit 31, it's been talked about
15 a lot. You will be able to look at the dates and the
16 titles. Most of the videos are in evidence also. If we
17 just start looking, I'm not going to show them all, just
18 picking a few. 2012, this was the day of the accident:
19 "Connecticut School Massacre Looks Like False Flag Says
20 Witnesses."

21 The next year early, "Why People Think
22 Sandy Hook is a Hoax." A month later, "Children of
23 Sandy Hook to Perform At Superbowl." A couple of months
24 later, "Crisis Actors Used At Sandy Hook, Special
25 Report." "Crisis actors used at Sandy Hook." This

1 idea, as if it is a defense at all, that he didn't start
2 believing that it was a complete hoax until 2014 or '15,
3 in 2013 he says, "Crisis Actors Used At Sandy Hook."

4 2014: "Revealed, Sandy Hook Truth
5 Exposed." Same year, "Bombshell, Sandy Hook Massacre
6 Was a DHS Illusion Says School Safety Expert."

7 We all know who that school safety expert
8 is. That's Wolfgang Halbig.

9 September 2014: "Sandy Hook Deaths
10 Missing From FBI Report." Because he looked at Table 8,
11 not Table 9.

12 May 2015: "Sandy Hook, the Lies Keep
13 Growing."

14 July 2015: "Government is Manufacturing
15 Crisis."

16 And that takes us to Owen Shroyer, his
17 June 25th, 2017, telecast. Show. Hit piece.
18 Defamation. Mr. Shroyer was on the stand and I went
19 through a list of items that he didn't know before he
20 ran that. Never heard of Mr. Heslin. He didn't do
21 anything to fact check the accuracy of his report.
22 Nothing.

23 Do you remember what he said? He said --
24 because I remember it, I was walking back, he was there
25 and he said, I could have done a better job. I turned

1 around and I said, you could have done a job. Because
2 you did nothing to fact check that. Didn't watch the
3 video clips. May not have actually even read the
4 article first. Never heard of Ibunkcoin. Never heard
5 of the author ZeroPointNow.

6 I'm going to stop here for a second.
7 During that, the video that the defense played just
8 today, Alex Jones on that video went to some report and
9 it had all these quotes that were good for him, do you
10 remember that? Things that he liked. And it was
11 published by Ibunkcoin and it was ran on -- it was ran
12 on ZeroHedge.

13 You heard testimony, what ZeroHedge is is
14 a blog that you can post anonymous stories on. And if
15 you remember the story he was talking about was
16 ZeroPointNow. That was the author. So, he's taking
17 articles from a blog that anybody can publish on that
18 are positive to him from an author named ZeroPointNow.
19 I wonder where that author works.

20 He talks about -- in this trial talks
21 about how Megyn Kelly was so unfair to cut the clips,
22 how we've been so unfair when we cut clips. That's what
23 he did. That's why we're here.

24 This is Mr. Carver, the medical examiner.
25 And you remember the question he asked was, what

1 condition were the bodies in when the parents had to
2 identify their children. And he goes on to say, well,
3 we didn't do that, we didn't bring the children and the
4 parents in together. He's answering the question.
5 That's not how they identified the children. That would
6 be a level of cruelty that's hard to even imagine, if
7 you just brought parents into a morgue and just had them
8 look around until they found their child.

9 No, they interviewed them and said, what
10 was he wearing, I've got photographers. He said the
11 best photographers, ones that can take pictures that
12 aren't as horrendous as they have to be to make these
13 identifications. And they cut it to make it sound like
14 he never saw his kid.

15 The Anderson Cooper article -- or I'm
16 sorry, interview with the McConnell family, cut her
17 answer in mid-answer when she says, I wanted to see my
18 child, and then cut it off when she says, but I decided
19 not to because I wanted to remember her as she was. She
20 wanted to remember Grace with her long blond hair and
21 her bows in it.

22 The article that's shown was written by
23 Jim Fetzer. We heard testimony about him today. He's
24 mentally ill. You know, we throw these terms around,
25 like "crazy" or whatever, and it's -- it's unfortunate.

1 He's a mentally ill person. He's a discredited former
2 professor from the University of Minnesota.

3 Miss Paz testified about him. Said,
4 "Prior to this June 26, 2017 -- prior to the video of
5 June 26, 2017, that discusses information from
6 Mr. Fetzer, the company had in its possession an
7 extremely large volume of emails from Mr. Fetzer, which
8 clearly revealed to any rational person that Mr. Fetzer
9 is not mentally balanced; correct?"

10 She says, "Are you asking whether they're
11 in our possession or whether -- yes, they're in our
12 possession. They're on our email server."

13 They knew before that he is not mentally
14 well. That's why they never had him on the show.

15 We have an email from Paul Watson. This
16 is a year and a half before that article was aired. The
17 story was aired and he said, "The Sandy Hook stuff is
18 killing us. It's promoted by the most batshit crazy
19 people like Rense and Fetzer, who all hate us anyway.
20 It makes us look bad."

21 There is no doubt they knew he was crazy.
22 So, they took a man who they thought was mentally ill,
23 wrote an article, published it by an anonymous author on
24 a blog, and ran with it.

25 And this idea that they're just

1 republishing that, you saw the video multiple times,
2 Owen Shroyer is not just republishing it, he said,
3 that's not something you would forget, holding your dead
4 child. And he kept calling it a claim. He claims this
5 and he claims that and he shows these other videos to
6 try to prove it's wrong. And then he demands some sort
7 of explanation from Mr. Heslin, like he owes Owen
8 Shroyer anything in the world.

9 "Final statement on Sandy Hook."

10 Mr. Jones again testified just today, this was my
11 attempt, this was going to be my final statement, I
12 didn't want anything to do with it anymore, I wanted out
13 of it, I was getting beat up by it, I want out, I'm
14 going to tell the world I believe Sandy Hook happened
15 and I believe these parents are real and that Jesse
16 lived.

17 What does he say at the very end of
18 that --

19 *(Video played off the record.)*

20 "I know when I'm watching a movie and I
21 know when I'm watching something real. Let's look into
22 Sandy Hook." That was his way of conveying what he
23 testified today that it probably did happen. He
24 couldn't even testify today, he said this was my way of
25 saying it probably happened. That's not saying it

1 happened. That's saying it didn't happen. That's
2 saying that they're actors. It's saying exactly what he
3 said the years before.

4 What is the impact when you break the
5 rules? Because, you know, Mr. Bankston talked in
6 opening, I think he's right, there's nothing that's ever
7 happened like this before. Sure, there's been
8 defamation cases, articles in newspapers or magazines
9 have been run that have something wrong. There's never
10 been a continuous, year after year campaign of
11 defamation and intentional infliction of emotional
12 distress on people. Ever. Never happened. It's the
13 first time. This is the first year to ever hear
14 anything like this.

15 This isn't the fender bender that
16 Mr. Reynal kept talking about in jury selection. This
17 is a decade of lies, a decade of deceit. It destroyed
18 people's lives. Good people. People that chose love.
19 He's made them live their lives in fear. Fear of
20 actually being harmed or murdered by people that follow
21 the lies. And want to do something about it. That
22 believe the lies and the hate that come from Mr. Jones.

23 You heard Scarlett testify, healing and
24 fear are mutually exclusive. She cannot heal while
25 she's in fear. She can't heal from the loss of Jesse

1 while she stays in fear.

2 One of the things that I thought was
3 powerful from Scarlett when she testified a lot, but she
4 talked directly to Alex and she said, Alex, every day of
5 my life has been a little bit worse because you're in
6 it. Every day in her life, a little bit worse for what
7 he's done.

8 You heard from our expert Becca Lewis on
9 misinformation, and she told you that misinformation
10 spreads six times faster than truth. Six times faster.

11 So, these lies are spreading across the
12 country at an insane rate and people are taking action.
13 They're confronting them all the time. Neil was asked
14 by Mr. Reynal, he was asked, well, how often, how often
15 are you getting harrassed? And he said, sometimes, you
16 know, not for a month or two, sometimes a dozen times in
17 a week.

18 The thing that caught my ear was sometimes
19 he can go two whole months without being harassed. It's
20 been nine and a half years. His house was shot up, his
21 car was shot up, somebody drove by his house, and to
22 Neil's credit he said, I don't want to speculate, it
23 sounded like gunfire, but yelled "InfoWars" and "Alex
24 Jones" and he thought he heard gunfire. They harassed
25 him online. There's death threats. We heard the death

1 threat from Mr. Pozner. That lady went to prison.

2 This idea that they can't say it was all
3 from Alex Jones, she went to prison and was not allowed
4 to get on InfoWars.com as part of her punishment. It's
5 all from Alex Jones. Becca Lewis talked about that.
6 His reach is so much greater than anybody else's.
7 There's nothing else out there close in the
8 misinformation.

9 Each time, even when -- each time they're
10 confronted, they just reset the healing. They have to
11 live the worse day, week, or month, that first painful
12 part of their life again after Jesse's death every time.
13 And some of its innocent. You heard Neil talking about
14 some of it's innocent. Right, it's the friend: Man,
15 did you hear that new crazy theory that Jesse never died
16 or that Jesse was killed by a CIA agent? Did you hear
17 about that? That's not malicious, but it affects them
18 just the same. Sure, that doesn't scare them, but it
19 resets it. It resets that pain every single time.

20 So, they started devoting themselves to
21 protecting Jesse's legacy, you heard Mr. Michael crouch
22 talking about, and we all know this, parents have to
23 protect their kids. That's what we're here for, we
24 protect our kids. Jesse is gone, they can't protect
25 him, and there's some sense of guilt. They both clearly

1 know there's nothing they could have done, it's not
2 their fault that Jesse was killed, but there's always a
3 sense of guilt.

4 So, they are protecting his legacy in
5 different ways. Neil is fighting disinformation. He's
6 here making sure that we're going to fight. Scarlett
7 has Choose Hope, Choose Love, and goes around the
8 country trying to make sure these type of things will
9 never happen again.

10 What's hard for them is to know that the
11 motive was money. It was money. If somebody makes a
12 mistake, it may be hard, but it's easier to take. It
13 affects you when you know someone is profiting off of
14 your pain and off the pain -- off the death of your
15 child. Someone is making money off of that by spreading
16 misinformation and spreading lies. That absolutely
17 hurts.

18 You heard Alex Jones talking about, today,
19 70 million in revenue. He testified to That. He
20 testified on direct in 2012 that it was his goal, if you
21 remember yesterday, he said, in 2012 I had a goal to get
22 \$70 million in revenue. He achieved it. Through lies.
23 Through misinformation. Through riling up a base of
24 conspiracy theorists that all want to go buy his prepper
25 gear now. Buy his food.

1 Alex Jones doesn't find value -- or
2 doesn't value Neil and Scarlett's pain, he finds value
3 in their pain. He sees value in that pain. There is a
4 complete inability to take responsibility, it's just
5 excuses. Today there's no ability to take
6 responsibility. Saying "I'm sorry" is not taking
7 responsibility. It's not. Being forgiven by Scarlett
8 isn't taking responsibility. I think she had the best
9 possible analogy when she said, you can forgive the
10 rapist but he still has to be held accountable. I'm
11 sorries don't cut it. You caused damage, you caused
12 harm, you have to pay for what you broke.

13 And the thing I keep noticing is every
14 "I'm sorry" has a comma-but; right? It's never just,
15 I'm sorry for what I did. It's, I'm sorry, but that
16 Megyn Kelly, she went out and she got me. She entrapped
17 me. Megyn Kelly is a reporter just like Alex Jones is.

18 I'm sorry, but I'm not responsible.

19 Well, Miss Paz testified to this. "Okay.
20 But we -- you did agree that InfoWars, its coverage, did
21 impact that grieving process, you just don't think they
22 have any responsibility for it; right?"

23 What did she say? "That's correct."

24 We hurt these folks, our coverage hurt
25 these folks, we're just not responsible.

1 That's this whole trial has been one
2 excuse after another. I'm going to go through the nine
3 that I sort of heard, may have heard them a little bit
4 different but I this think covers the gist but we're
5 going to talking about each one.

6 Return a verdict of \$1. That is not
7 taking responsibility.

8 What did Owen Shroyer say when he was
9 asked the question, if you had it to do over again would
10 you do anything different? He said, Yeah, I wouldn't
11 air the piece at all, it has really negatively
12 affected -- not these folks -- my life and career.

13 This lawsuit has affected Alex Jones'
14 well-being, heard a lot about that today.

15 Other people were spreading lies.

16 Less than half a percent of our coverage
17 was about Sandy Hook.

18 They should have called Alex Jones and
19 worked through their pain with him.

20 Believing Wolfgang Halbig's credentials
21 was the worse decision InfoWars ever made.

22 Neil and Scarlett are malingeringers who lied
23 to Dr. Lubit and Michael Crouch.

24 And Jones said he is sorry.

25 Let's talking about each one of those.

1 Return a verdict of \$1. This is the jury
2 charge. And you've been instructed that Alex Jones and
3 Free Speech Systems committed intentional infliction of
4 emotional distress against Neil Heslin and Scarlett
5 Lewis. And in that definition of intentional infliction
6 of emotional distress, just so when you get there you'll
7 know, the emotional distress suffered by Plaintiff was
8 severe.

9 You are instructed their emotional
10 distress is severe. The conduct has gone beyond all
11 possible bounds of decency and to be regarded as
12 atrocious and utterly intolerable in a civilized
13 community. Utterly intolerable for what we're doing in
14 our community. Our civilization. We can't do that.

15 The idea of returning a verdict of \$1 is
16 offensive. Scarlett said, every day he's made my life
17 worse since shortly after Jesse died.

18 Shroyer says, when asked the question, if
19 you had it to do over what would you do to make any
20 changes, he said, I wouldn't air the piece because it
21 negatively affected my life and career. He's in the
22 same job making \$130,000 a year, doesn't sound too
23 negative. That is a level of inability to accept
24 responsibility that's hard to grasp.

25 And there was a question, I wanted to

1 address it, one of the questions was whether or not Alex
2 Jones would take responsibility for the folks that work
3 for him. And he said, graciously, he said, yes, I
4 absolutely would.

5 I do want to make sure that if we look at
6 the jury charge, though, for Cause of Action number 1 it
7 says, you are instructed that Defendants Alex Jones and
8 Free Speech Systems, LLC committed defamation against
9 Neil Heslin. Goes on to say, you are further instructed
10 that Defendants Alex Jones and Free Speech Systems, LLC
11 published statements that were false and defamatory
12 concerning Neil Heslin on June 26, 2017, and July 20th,
13 2017.

14 Point being, the Court has already
15 instructed you, Free Speech Systems and Alex Jones are
16 responsible for Owen Shroyer's defamation. There's two
17 dates also because Alex Jones republished that on
18 July 20th, 2017.

19 This lawsuit has affected Alex Jones'
20 well-being. I've got to say, the biggest offense I've
21 heard is he's the victim. He caused all this pain to
22 this family and he's the victim. He defamed Neil Heslin
23 and he is the victim.

24 Miss Karpova testified, people think Alex
25 Jones killed those children. No, they don't.

1 Nobody thinks that, Alex. Nobody does.
2 They -- you killed their ability to get over the loss of
3 their children, you didn't kill their children.

4 He's the victim?

5 What did he say when he was asked by
6 Mr. Reynal about being de-platformed. I wrote it down,
7 I don't want to get it wrong. He said, now people can
8 say whatever they want about you and everyone else can
9 attack you and you can't fight back. That's what he
10 said about being de-platformed. That sounds exactly
11 like what he did to these folks. Right? Exactly what
12 he did to them. They didn't have an ability to fight
13 back. This is their fighting back.

14 They told you Alex Jones wasn't the only
15 one spreading these lies, there's other people. What
16 did Detective Jewiss say? Remember, he talked about how
17 he's still the lead detective because their role really
18 became support the families, support the families at all
19 cost. There was a trooper assigned to every family for
20 a year. And he was asked, have you heard of these other
21 people? He said, no, I've only heard of Alex Jones and
22 Wolfgang Halbig. That's the only two.

23 Owen Shroyer testified the same, Alex
24 Jones and Wolfgang Halbig was spreading this
25 information.

1 And what did Wolfgang Halbig say? He
2 said, without InfoWars, nobody would hear the truth.
3 Wolfgang Halbig had no ability to get his message out.
4 That -- his web of lies that he came up with and his 16
5 questions or whatever it was. The only way to get that
6 out was through InfoWars and Alex Jones. He didn't have
7 a TV show or a radio broadcast or a website with any
8 real traffic on it at all. Nothing. It's all through
9 Alex Jones and InfoWars.

10 Becca Lewis testified and she said -- she
11 was asked the question, more likely than not where are
12 all these people getting this misinformation, the
13 24 percent of Americans that think Sandy Hook was either
14 faked or in some way have questions about its validity.
15 All these people. Where do they get their information?
16 And she said, in academics we don't do a lot of
17 absolutes, we just don't. This is one I can. It
18 absolutely came from Alex Jones, and it absolutely came
19 from InfoWars.

20 Less than five percent of our coverage was
21 about Sandy Hook. I think the question that the juror
22 asked, just because you commit crimes seldomly, does
23 that mean you shouldn't be held responsible?

24 Absolutely not. That's crazy. Of course
25 you're held responsible whenever you break the law.

1 Whenever you break -- whenever you defame somebody. You
2 don't have to defame them 20 times. Just once. But
3 that's not what happened in this case. Again, 27 hours
4 of agreed upon, agreed upon, coverage of Sandy Hook by
5 InfoWars. 27 hours.

6 Mr. Reynal: Your Honor, I object. That
7 is exactly the evidence that I've been trying to get in
8 that you excluded.

9 MR. FARRAR: I don't know --

10 THE COURT: -- your objection is
11 overruled.

12 MR. FARRAR: That's unprecedented.

13 Like I said earlier, most defamation cases
14 is one article that ran. 27 hours of coverage over
15 years. Doesn't help that it's hidden between
16 95 -- 99.5 percent of other libelous and slanders and
17 lies and misinformation. It doesn't matter that it's
18 hidden in there. It matters what it did to these
19 people, who heard it, and how they reacted and how they
20 came after them and attacked them. That's what matters.

21 They should have worked through their pain
22 with Alex Jones. Neil Heslin called him a psychopath on
23 the stand. Well, how would he call Alex Jones and want
24 to sit down and work through their pain with Alex Jones?
25 Literally, literally the last person in the world that

1 this family would want to sit down with and work through
2 their pain.

3 Believing Wolfgang Halbig's credentials
4 was the worse decision InfoWars ever made. That's what
5 Miss Karpova testified to. The word "credentials" I
6 find sort of funny. I don't know how you have
7 credentials that allow you to say children were
8 kidnapped by a satanic cult and put on the Superbowl
9 stage to sing to us and then taken off. There's no
10 credentials for that. We don't have like an
11 apprenticeship program for that.

12 But they knew, the thing is they knew that
13 he was not mentally well. Miss Paz testifies to it.
14 But you can agree that there are plenty of emails he
15 sent in 2014 that the company did, in fact, read and
16 thanked him for it. She says yes. That are crazy. She
17 says, yeah, that happened in 2014.

18 Adan Salazar says the same -- well,
19 actually what Adan Salazar, remember, he put a lot of
20 articles up of Wolfgang. He said, "Beyond listening to
21 the interview and visiting the website you described,
22 you did nothing to further check Mr. Halbig's
23 credentials or credibility; correct?"

24 He says, "Yeah, that's correct."

25 This is Exhibit 51, it was in a

1 deposition. Mr. Salazar, it's an email exchange, we're
2 not going to go through it all, from 2014 in March, and
3 it goes through all these reasons that Wolfgang is not
4 credible. That idea that he was an expert in Columbine,
5 not true. This idea that he is some sort of foremost
6 school safety expert, not true. He just made all that
7 up and people believed him. Nobody fact checked any of
8 that.

9 This is the picture -- the Superbowl
10 picture with the kids at Sandy Hook in February of 2013,
11 went and sang at the Superbowl. He says, this is Jesse
12 Lewis. Fake name. He sends that to InfoWars
13 March 2015. And Nico at InfoWars responds, got the
14 Superbowl pic. Thank you for sending. This should have
15 been a pretty good sign we really shouldn't have him on
16 the show. I don't think he's quite right. I don't
17 think he's mentally stable. We should stop basing our
18 weird conspiracy theory that Sandy Hook didn't happen
19 from this guy. Because he's really the source. He's
20 the number one guy.

21 This is why it's intentional infliction of
22 emotional distress. This is intentional, when you start
23 getting all the warning signs and you keep going after
24 people, it becomes intentional, it's not a mistake, it's
25 not negligent anymore. It's intentional.

1 Neil and Scarlett are malingeringers who lied
2 to Lubit and Mr. Crouch. So, we sort of have to think
3 about how that would work, because Mr. Crouch said the
4 first notes about some sort of profiteering and
5 conspiracy theories appears in 2013. So, Neil has to
6 think to himself, I think in three years there's going
7 to be this election between Hillary Clinton and Donald
8 Trump and I think Hillary is probably going to run some
9 hit pieces on Donald Trump, linking him to Alex Jones
10 and this conspiracy theory. So, if I want to take Alex
11 Jones down in 2022, I need to start right now
12 complaining about it. That's how you have to get there.
13 Conspiracy theory.

14 He said he's sorry. Jones said he's
15 sorry.

16 Remember what Mr. Bidondi said. He said,
17 "Just Operation Cover Your Ass. I mean, like if you're
18 going to report something, make sure you got documented
19 facts so we don't get sued. That was the big thing, you
20 know what I mean? "

21 Said, "That was the term that they
22 actually used, 'Operation Cover Your Ass'?"

23 He said, "Yeah, that was Rob Dew's term.
24 Just make sure."

25 Anybody not think that those apologies are

1 part of Operation Cover Your Ass? He realized the heat
2 was coming. Lawsuits were getting threatened. He went
3 to Operation Cover Your Ass.

4 He just testified today that maybe the FBI
5 killed those kids, too. He was about halfway out and
6 Mr. Bankston objected and said, What are we talking
7 about anymore? He says he's learned, he said he learned
8 his lesson, I think Mr. Shroyer said, well, I think we
9 really learned our lesson. What did Mr. Bankston ask
10 him? Every single -- every single mass death, mass
11 event since then: Staged, hoax, staged, hoax, staged,
12 hoax. It's not learning your lesson, it's doing the
13 same thing over and over and over again.

14 So, what is your role.

15 A couple of things before we get to the
16 actual role. You remember Christopher Daniels, he was
17 asked, "You believe that calling somebody a crisis actor
18 would be a horrible claim; right."

19 He said, "If it's false."

20 "Question: So, falsely saying that
21 someone is a crisis actor would be a horrible claim."

22 He says, "Well, it depends on the context.
23 I mean, you don't want to be called something that
24 you're not, you know."

25 Adan Salazar. "Did it occur to you how

1 families who have lost loved ones at Sandy Hook would
2 react to an allegation that, in fact, their children
3 were murdered in an event that was scripted and planned
4 over two and a half years? Did that occur to you?

5 "No, I didn't think about that."

6 So, what is your role. We see things on
7 the news all the time, we say, man, somebody should do
8 something about that, that's not right. We should do
9 something about that. That's your role. You get to do
10 something about that. Right now. Right today. Do
11 something about the harm that was caused to these folks.

12 Mr. Reynal: I'm going to object to this
13 punitive damages argument in this phase.

14 THE COURT: Overruled.

15 MR. FARRAR: Your job is to determine the
16 right amount, what is just and fair compensation to the
17 harm that was caused to Neil and Scarlett. And if you
18 remember, back in jury selection there was a question
19 that was asked, is there anybody here that just cannot
20 give over \$100 million regardless of what the evidence
21 showed, and a bunch of people raised their hands and
22 they were talked to. None of those people are on the
23 jury.

24 There was a question, is there anybody
25 here that can't give mental anguish damages, and a bunch

1 of people raised their hand. Nobody there is on this
2 jury.

3 This jury is comprised of people that are
4 willing and capable to give a large verdict if the
5 evidence shows it. And the evidence absolutely shows it
6 in this case.

7 So, what does it cost Alex Jones and his
8 company to steal the last memory Neil Heslin had of
9 Jesse, to steal it from him. In the pursuit of selling
10 more products. What does it cost Alex Jones and his
11 company to spread lies and rile up a base, and spread
12 lies so vile that people actually came and accosted them
13 and harassed them and sent them death threats and sent
14 death threats to other people, shoot at his house. What
15 does it cost to do that all in the goal of selling more
16 pills.

17 What does cost to destroy a reputation,
18 not just in Sandy Hook or Newtown, not just Connecticut,
19 not even just the United States, the entire world, to
20 destroy people's reputations in the entire world all in
21 the pursuit of selling more prepper gear.

22 What does it cost when a mom can't even
23 turn on her air conditioning at night in the summer for
24 fear that she'll miss the sound of an intruder coming
25 in, just to sell more gear, to make more money, to hit

1 that \$70 million revenue goal in 2012.

2 What is it going to take to make sure Alex
3 Jones and his companies pay for what they broke.

4 You remember Mr. Crouch, when he was on
5 the stand, this is the psychotherapist, Mr. Reynal asked
6 him a question about buckets, how do you -- how do you
7 differentiate the pain that these folks felt for the
8 loss of Jesse, which is real. And Dr. Lubit and
9 Mr. Crouch, they both testified you never really get
10 over the loss of a child, it's not the normal course of
11 life. It's different. We can't really get over this.
12 We can get better and we get functional and we start
13 enjoying life and we start remembering the good things.
14 And they were there, they were starting to remember the
15 good things.

16 But the question was, how do you separate
17 those buckets. And Mr. Crouch said that's easy. This
18 is a whole separate and distinct injury. Each one of
19 those buckets has mental anguish and it has grief, and
20 the one that Alex Jones caused them is full. That's
21 what he said.

22 And Dr. Lubit talked about that, too.
23 Allostatic? I'm not even going to try. But the idea
24 that you're out of emotions, you're all done, you're
25 flat. They talked about seeing the different interviews

1 from Neil from 2012, 2017, and one recent one, and he's
2 flat. He's all out of emotion. The fear, the anxiety,
3 the drive to keep Jesse alive, to keep his legacy, to
4 not have it tarnished as some sort of false actor or
5 fake or that he didn't exist has taken it all out of
6 him.

7 They're still protecting Jesse, that's
8 what Mr. Crouch said. That's their job. They said that
9 this verdict will tell the world that Jesse lived; that
10 he was real; that he mattered; and that the lies are
11 just that, they're lies.

12 So what does it take to fix what he broke,
13 that number, 24 percent. That's 75 million adult
14 Americans believe that Sandy Hook was staged, faked, or
15 at least have some doubt as to whether or not it's real.
16 A dollar a person that believes that lie.

17 I said 75, 150 million, I'm sorry. 150
18 million Americans.

19 A dollar a person for everybody who
20 believes that lie is the fair, it's the reasonable, it's
21 the just amount. The weight of that many people every
22 time. It doesn't matter where they go, they want to go
23 on vacation, to Miami, wherever it may be, one out of
24 four people walk by, they don't know if they think that
25 person is somebody who thinks Sandy Hook was a hoax, was

1 a complete hoax. And of those they don't know, are any
2 of them going to recognize them. And of those, are any
3 of them dangerous. That's not a way to live your life.
4 That's why they've retreated. They don't have friends.
5 They don't go do things anymore.

6 I could have stood up here and said what
7 Miss Lewis talked about. She said the InfoWars site had
8 3 billion hits from I think it was 2012 to 2019. 3
9 billion hits. Not 3 billion different users, that's not
10 what she said, she said 3 billion hits. You can't tell
11 how many different users, you only tell a number of
12 hits. I could have said a dollar a person who clicked
13 on that website would be fair.

14 But it's 75 million for Neil and 75
15 million for Scarlett for what they've had to endure.
16 For every day of your life being a little bit worse
17 because somebody else exists and somebody else keeps
18 spreading lies about you. Intentionally, recklessly,
19 maliciously.

20 One of the things you may have noticed
21 when you're reading through the jury charge is that Neil
22 has the claim for defamation that Scarlett doesn't. So
23 he's got more places to be compensated, he's got loss of
24 reputational damages and mental anguish specific for
25 that. I think you put 75 million total for each one.

1 So, for Neil that's 12,500,000 for each one of those
2 spots. Scarlett only has two lines, hers is 37,500,000.

3 The impact. The impact of what they've
4 done has lasted and it continues to last, it's nine and
5 a half years and it's going to keep going, it's not
6 stopping. Even if Alex Jones stops talking about it
7 right now, it's out there and those people are still
8 going to harass them. That damage is done. And it's
9 taken years to get to this point, to get in front of
10 you, for Neil to be able to tell his story and Scarlett
11 to be able to tell her story. Years of fight.

12 When you go back there I implore you, it's
13 a hard process, stick with it. Don't compromise. The
14 truth matters. It's too important. Don't compromise
15 the truth.

16 Neil told you on the stand that Alex
17 started this fight and that he intends to end it. Your
18 verdict ends that fight. End this nightmare for them.

19 THE COURT: Thank you, Mr. Farrar.

20 I think, I think we should take a short
21 break and then we'll come back. So let's take a
22 15-minute break. So, let's come back at about -- I'm
23 not good -- 3:10. So remember you're still not released
24 to have any conversation yet. Go ahead and head on
25 back.

(Brief recess.)

THE COURT: All right, you may be seated.

Mr. Reynal, whenever you're ready.

12 And I think the best way that I can help
13 you to make that decision is by superimposing the facts
14 and the law as they were from the Court's instructions
15 and from the actual evidence that we heard from the
16 witness stand and that we got in the form of videos and
17 in the form of documents.

18 We are here to discuss actual damages. I
19 would like you all to remember before this trial started
20 the Court told you, instructed you, that there are two
21 phases. This is phase one. Now is the time to decide
22 actual damages, actual compensation. I understand that
23 there may be some of you who believe that Mr. Jones
24 needs to be punished for what he did, and you're going
25 to have the opportunity to send that message.

1 But you haven't heard all the evidence yet
2 so that you can send it. You're going to hear more and
3 you're going to retire to deliberate again and I'm going
4 to have the opportunity to address you again. And
5 there's so much I heard from Mr. Farrar's argument that
6 is all about punishment. I'm going to talk to you guys
7 about punishment when the time comes.

8 But today, right now, I want to talk to
9 you about actual damages, and actual damages require
10 actual evidence. Not what you wish the evidence was or
11 you hope the evidence had been. Now is the time when
12 you can actually hold us to our word. I said during our
13 opening statement a lawyer's opening statement is not
14 like a politician's speech. You get to hold us to our
15 burden. Hold them to their burden. They brought this
16 case. They need to prove it.

17 On the bottom of every slide you're going
18 to see today is the question in yellow, "Where is the
19 evidence?" Over the next few minutes I want to talking
20 about five different things with you. I want to review
21 the facts as we learnt them from the witness stand,
22 through the documents and through the videos. I want to
23 review with you some of the key instructions that the
24 Court has already given you and that will guide you in
25 your deliberations.

1 And then I want to review the evidence
2 specifically as it relates to whether Alex Jones caused
3 Neil Heslin and Scarlett Lewis to be harassed. Whether
4 Alex Jones caused Neil Heslin and Scarlett Lewis to
5 suffer mental anguish. Whether Alex Jones caused damage
6 to their reputation.

7 And I prepared this PowerPoint based on
8 the opening statement. It seems to be a bit of a moving
9 target. We had been at 75 million, now we're at 150
10 million. There was some suggestion that maybe we should
11 be at three billion. So, I'm going to have something to
12 say to you all about that.

13 And finally, I want to talk to you about
14 the verdict form, the numbers that we think are
15 appropriate in this case, and what your verdict should
16 be and why.

17 Let's talking about the facts. What is it
18 that are the facts beyond change, what are the things
19 that we can all agree have been proven through the
20 evidence.

21 We can all agree that on December 14th,
22 2012, Adam Lanza shot his way into an elementary school
23 in Sandy Hook, Connecticut, and murdered twenty children
24 and six educators.

25 We can all agree that that very day two

1 groups of people became intensely interested in what had
2 happened. On the one hand, you had politicians and the
3 mainstream media. They descended on Sandy Hook like
4 vultures, trying to get a story and trying to push a
5 message. I talked to Mr. Heslin about that, about
6 whether death and murder should be private events. It's
7 sad that we live in a country like that. But we do.
8 And that is the price we pay in some ways for
9 transparency.

10 They came and they reported and they
11 reported irresponsibly, and a lot of the things that
12 they reported turned out to be incorrect and a lot of
13 the things that they reported fed into a conspiracy
14 narrative that was driven by people who are known as the
15 truthers, people who had been active since the Kennedy
16 Assassination, who had gotten online after
17 September 11th, who included people like Wolfgang
18 Halbig, Steve Pieczenik, James Fetzer, Dr. James Tracy,
19 and hundreds and thousands of others that organized
20 around Facebook and You Tube and other areas. Detective
21 Jewiss testified about that.

22 Where was Alex Jones when that happened?
23 He was 1500 miles away, in Austin, Texas, and he was
24 just as shocked as everyone else.

25 I have endeavored every chance I could to

1 play for you unedited, complete video. You all watched
2 Alex on the first day. You watched that 51 minutes and
3 you heard, I don't need to tell you, I don't need to
4 remind you, you watched it, it's in evidence, I don't
5 need to reframe it, I don't need to turn it into a video
6 clip. It is there.

7 So what do we know? We know that there
8 was intense public interest and public scrutiny. We
9 know that Alex has a talk show, where he invites guests,
10 where he takes callers, and we know that he reported on
11 what had happened at Sandy Hook. And Alex doesn't trust
12 the government. He doesn't trust the official
13 narrative.

14 You know, we heard during closing argument
15 that Alex had said from the witness stand that the FBI
16 killed the children? You all were here. He said that
17 the New York Times had reported that an FBI agent
18 interviewed Adam Lanza four years before the murders.
19 We're here about facts that come from the witness stand,
20 not what people wish they had said.

21 So, Alex ran with the story and he made a
22 mistake. He trusted the wrong people. He was going
23 through a difficult time in his life and he ran with the
24 story that ended up being false. The Court has
25 instructed you as to that. At the time Steve Pieczenik

1 was somebody that he trusted. And Wolfgang Halbig, as
2 far as he was concerned, seemed credentialed. He made a
3 terrible mistake, okay? But what happens next.

4 That mistake was weaponized by the same
5 political forces that had descended upon Sandy Hook.
6 And it was magnified and amplified throughout the 2016
7 election. I mean, we talking about -- it's sad, we
8 talking about people feeding off these children, I mean
9 politicians, the news media, right? I mean, it's
10 happening everywhere. And so it becomes this election
11 issue and that magnifies it.

12 And let's get one thing straight that both
13 Mr. Heslin and Miss Lewis testified to and is
14 corroborated by Dr. Crouch's patient notes, which are
15 contemporaneous: Before 2018, neither Scarlett Lewis
16 nor Neil Heslin had ever watched a single Alex Jones
17 broadcast. They hadn't.

18 So, Megyn Kelly is running her hit piece.
19 And we didn't get from the evidence why Neil reached out
20 to her or how that process worked. It's just a gap in
21 the evidence, because you all need to base your verdict
22 on the evidence. So, I don't know it. Perhaps it's
23 fair to infer that, because of the campaign coverage
24 that had been given to the Sandy Hook event, he felt he
25 needed to reach out.

1 The point is, after that Alex finds out
2 what's going to happen and he tries to intervene. He
3 goes on his show, he accuses the mainstream media of
4 perverting what he's saying, what he no longer believes.
5 He reaches out to Neil Heslin, well, to all the Sandy
6 Hook families, right? He never mentions Neil by name.
7 And guess what. Nobody listens. Why doesn't anybody
8 listen? Because Alex's platform isn't that big. He's
9 not Hillary Clinton, he's not Megyn Kelly. When he goes
10 on, not that many people listen.

11 I mean, don't get me wrong, I'm not trying
12 to minimize his platform. He has a platform. But it's
13 not the kind of national platform that they're talking
14 about. And that came through in the evidence. He's got
15 40 -- well, sorry, now 80 employees, at the time it was,
16 you know, fifty employees. This is not the *New York*
17 *Times*. This isn't CNN. This is a talk show in Austin,
18 Texas.

19 So, Neil goes on the show and Owen
20 Shroyer, a young reporter, runs this ZeroHedge piece.
21 And the Court has found that that piece was defamatory.

22 What did we learn from the witness stand?
23 Neither Neil nor Scarlett knew about it. They had no
24 idea about Owen Shroyer's report until almost a year
25 later. And I've put it to you that it is fair to infer

1 from the evidence that someone, something, weaponized
2 Neil and Scarlett's grief and convinced them that Alex
3 Jones was responsible.

4 I asked them both on the stand, did you
5 review the videos? No. And I'm not saying that they
6 should, right? But I asked them, how did you come to
7 this conclusion that Alex Jones is the root of all that
8 is wrong with your life? And the only answer they had
9 is that, that's what I've heard. That's what I'm
10 convinced of. You all, sitting here, have the chance to
11 actually examine that, and that's what actual damages
12 are about. Right? It's about examining whether Alex's
13 actions and his words actually caused harm.

14 The most important evidence in the case
15 are the videos. Right? The complete, unedited videos.
16 They are a contemporaneous record of everything that
17 Alex said. The plaintiffs have excellent lawyers. And
18 they've spared no expense. They chose the case that
19 they wanted to put on. And the case that they wanted to
20 put on did not have 27 hours of video.

21 I changed this because it changed during
22 their closing. I did have a nice PowerPoint, I did
23 receive some criticism for my flip charts. I hope
24 everyone can see them. Between 2012 and 2018, in
25 evidence, we have 18 hours and 43 minutes of video.

1 Okay. What did we get from the witness stand in terms
2 of how much time InfoWars is broadcasting?

3 Alex Jones testified, and so did Daria
4 Karpova that during the early years it was seven hours a
5 day, and that that went up to ten hours per day in 2017.
6 If you take 18 hours and 43 minutes and you divide it by
7 the amount of time, 11,947 hours that they were on the
8 air, that gives you .16 percent.

9 I propose to you we've spent more time
10 talking about Sandy Hook during this trial than Alex
11 Jones or his organization spent in six years talking
12 about it. And they want to tell you that that drove
13 people insane?

14 MR. FARRAR: Your Honor, I have to object,
15 the same reason we don't know what all the videos are,
16 we haven't established that.

17 THE COURT: In evidence.

18 MR. REYNAL: In evidence, Your Honor.

19 THE COURT: That's all, but not -- we
20 don't know in the world. We don't.

21 MR. REYNAL: Your Honor, I would object to
22 the commentary on the evidence.

23 Your job and your instruction from the
24 Court is to base your verdict on the evidence that has
25 been admitted and the testimony that we've received.

1 They chose what case to bring. We don't want to be here
2 at all. They have the burden. .16 percent.

3 And not only that, as we know, Mr. Heslin,
4 Miss Lewis, I'm sorry I called them Neil and Scarlett
5 earlier, that might not have been respectful of me and I
6 apologize for it. Mr. Heslin and Miss Lewis did not see
7 any of those videos broadcast. They both testified to
8 that.

9 Let's talking about the law. In your jury
10 instructions there are several pieces that I would like
11 to bring particular attention to. The first, let me
12 move this. There was something we talked about during
13 Voir Dire. Do not let bias, prejudice, or sympathy play
14 any part in your decision. I put it to you that most of
15 the presentation we've had thus far has been about bias
16 and prejudice and sympathy.

17 We entered this courtroom already having
18 lost. That's why we're here just about damages. Yet
19 that is what we hear the least about in this courtroom.
20 Why is that? Because Mr. Heslin and Miss Lewis are
21 tremendously sympathetic people. They are. My heart
22 goes out to them for their loss. They are tremendously
23 sympathetic. But that has no role in the dispassionate
24 oath you took to decide this case based on the facts.

25 Similarly, thinking that Alex isn't a good

1 person or hasn't done the right thing, if some of you
2 all think that, should play no role in deciding whether
3 there have been actual damages and to what extent, and
4 whether they have been proven, because now we can
5 talking about what's been proven.

6 It's on the second page of your jury
7 instructions. Sub point 2: Base your answers only on
8 the evidence admitted in Court and on the law in these
9 instructions. Truth may be an amorphous concept outside
10 this room. But in this room truth comes from evidence.
11 Actual evidence that's been admitted.

12 This is a long one, proximate cause.
13 You'll see it on every one, starting on page 5, each one
14 of the questions, the second full paragraph is proximate
15 cause. And I'll give you a moment to read it for
16 yourself if you would like before I continue.

17 There are two aspects of proximate cause
18 that I want to bring particular attention to. One,
19 "proximate cause" means a cause that was a substantial
20 factor in bringing about the injury. A substantial
21 factor. 18 hours and 43 minutes over six years.

22 "Reasonable foreseeability." The act or
23 omission complained of must be such that a person using
24 ordinary care would have foreseen that the injury, or
25 some similar injury, might reasonably result therefrom.

1 Ask yourself how reasonable is it for a
2 talk show host in Austin, Texas, to believe that
3 18 hours and 43 minutes of coverage that we have in
4 evidence would cause people to harass Neil Heslin and
5 Scarlett Lewis.

6 "Pre-existing condition." We all know
7 what that is. It's the horrific death of their child.
8 I can't imagine the pain and suffering and anguish that
9 comes from it. Dr. Crouch testified that it's not
10 something you ever get over. I think he's absolutely
11 right. So ask yourselves, take that -- when you go back
12 to deliberate, think about that, think about proximate
13 cause, think about pre-existing condition. And follow
14 the evidence as you heard it from the witness stand and
15 as it came in through the videos.

16 Let's talking about the evidence. You
17 know, this can a stressful profession. And I, I have a
18 hobby. I shoot a bow and arrow. It helps me to just
19 concentrate on one thing and clear my mind of everything
20 else. Now, I go to a range to do that. If I went to my
21 range and shot for a couple of hours and then sometime
22 later the owner of the range came to me and said, hey,
23 there's been some damage to the range and we think you
24 did it.

25 I would say, well, how do you know?

1 They say, no, no, no, we think you did it
2 because you shot a lot of arrows.

3 And I would say, well, did you look at the
4 arrow? Did you examine it?

5 Well, no.

6 I say, okay, well, was anybody else out
7 there shooting at the same time?

8 Say, no, we don't care. You were out
9 there.

10 And then finally I say, well, you haven't
11 looked at the arrows, you haven't looked at if anybody
12 else was out there.

13 And the answer is, no, someone told us you
14 did it.

15 You say who? Who told you this?

16 Well, I don't know.

17 All right. That's kind of like the
18 evidence we got in this case. Did Alex Jones make these
19 statements? Yes, he did. And he genuinely apologized
20 for it. On the witness stand repeatedly. He said that
21 they fell short. And I heard your questions to him.
22 Are you going to change things, have you changed things,
23 what are you going to do so that this doesn't happen
24 again. And he answered those questions truthfully. And
25 his employees answered those questions truthfully, as

1 well.

2 Corroboration. I spent a lot of time with
3 Dr. Lubit talking about corroboration. Hey, Dr. Lubit,
4 you're saying all these things, did you take any steps
5 to corroborate them? Did you interview the neighbors?
6 Did you ask for a police report? Did you do anything at
7 all to substantiate that these things had happened. No,
8 no, no.

9 And one of you asked him, if I remember
10 correctly, one of you asked him, hey, Dr. Lubit -- I
11 mean words to this effect, hey, Dr. Lubit, if media
12 organizations should substantiate their sources, why
13 shouldn't forensic psychiatrists? And he just said,
14 well, that's different, that's different. If the
15 lawyers don't prove it, then you can throw out my entire
16 opinion. Well, where is the evidence? Where is the
17 evidence.

18 Again, look to Dr. Crouch. First mention
19 of Alex Jones, 2018. And he said he had nothing before
20 that. I put to you, use your recollection. Dr. Crouch
21 was handed an affidavit and asked to testify from it.
22 His notes, his contemporaneous interviews, did not
23 reflect this pattern of harassment that has been
24 discussed. Again, where is the evidence.

25 Also, go back to the number of hours.

1 You'll have the exhibit. Look at how many broadcasts
2 were made in 2012. In 2013. Scarlett Lewis testified
3 that when she was at the wake for her son she heard
4 somebody talking about a conspiracy theory. You know
5 that Alex Jones wasn't saying that the children hadn't
6 died.

7 Wolfgang Halbig, he actually is the only
8 person we can say definitively ever did anything to
9 Scarlett Lewis and Neil Heslin. We've got two emails
10 from him. Bear in mind, this is a man who supposedly
11 sent thousands of emails. Where are they? Where are
12 the recordings? We heard testimony that Scarlett Lewis
13 has a sophisticated home security system. That's all we
14 heard about. We didn't get any records, we didn't get
15 any video.

16 This case has been pending since 2018. If
17 there were the kind of pattern of harassment that we're
18 talking about, where's the evidence?

19 And critically important also is the fact
20 that the evidence shows that Alex Jones never said
21 Scarlett Lewis's name. And Owen Shroyer said Neil
22 Heslin's name for the first time in 2017. They never
23 published their addresses. Never even thought about it
24 really. There's no evidence.

25 For people, if -- and there again we're

1 speculating, if people were approaching them, which
2 there's no evidence on, where did they get that from?
3 You have the videos to watch that the plaintiffs put in
4 evidence. Is that more consistent with Alex Jones
5 having directed some kind of harassment, or with people
6 like Wolfgang Halbig who are mentally ill, obsessed.
7 Acting on their own.

8 Unfortunately, in a free society there is
9 risk associated with choice. We live in a community
10 where some people just are unbalanced and are going to
11 take action on their own. Is that reasonably
12 foreseeable to every broadcaster? Most importantly,
13 there was no call to action. Look through the videos.
14 None.

15 Mental anguish. This is where
16 pre-existing condition comes in and where you can also
17 ask yourself, who is responsible for the mental anguish.
18 Is it Alex Jones or is it someone else. Follow your
19 oath. It's not going to be popular, but zero evidence
20 equals minimal damages.

21 It's just like that auto accident we
22 talked about during Voir Dire, you have the auto
23 accident, somebody gets hurt. We talked about this.
24 They say, hey, you break it, you buy it. All right? If
25 you lie about somebody and you hurt them, then you pay

1 for it. How do you know? Show me the receipts. Show
2 me the lost wages. Show me the healthcare costs. Show
3 me the cost associated with therapy.

4 Who asked those questions in this
5 courtroom? I did. That is evidence for you and came
6 from our side because we're interested in truth. Not in
7 edited video clips and supposition.

8 Remember, you will have an opportunity to
9 decide punitive damages. We are here about actual
10 damages. And you all are smart people. You wouldn't be
11 on this jury if you weren't smart. We want smart
12 people, we want people who are going to be diligent,
13 people who are going to look at the evidence, who are
14 going to follow their oath to decide the case on the
15 facts.

16 Damage to reputation. Again, where is the
17 lost job opportunity? Where is the credit line that
18 wasn't extended, where is the social organization that
19 was denied him membership? We had no evidence to
20 corroborate that anyone thinks less of Neil Heslin in
21 his community. Zero evidence equals minimal damage.

22 Ask yourselves, who's really responsible
23 for these parents' pain? Is it Adam Lanza's mother, who
24 bought him the gun? Is it Adam Lanza, who murdered her
25 and then murdered 26 children? Is it the mainstream

1 media misreporting the facts and events around Sandy
2 Hook? Is it the truthers, who are out there waiting for
3 events like these to happen? Or is it the talk show
4 host?

5 Life is complicated. This job is
6 complicated.

7 Think about proximate cause. That
8 instruction that is before every one of those questions.
9 Was Alex Jones' broadcast a substantial factor and was
10 it reasonably foreseeable to him.

11 I forgot to mention, how about our
12 electoral system that magnified and broadcast. That's
13 not something Alex Jones did. It's something a campaign
14 politician did in order to paint their opponent. What
15 fault do they bear? Megyn Kelly, what responsibility
16 does she have?

17 MR. FARRAR: I have to object. There's no
18 responsible third party pled in this case to talking
19 about other people.

20 THE COURT: Sustain.

21 MR. REYNAL: \$150 million. It's their job
22 to ask for a lot of money. It's your job to decide the
23 case based on the evidence. There's a concept called
24 anchoring. And the idea of anchoring is that, if you
25 say a really, really big number people are going to work

1 off it. So, if you say 150 million dollars and then you
2 guys go back and you say, oh, man, I don't think they
3 proved it, I don't think they proved it, so why don't we
4 give them ten percent of that. And award \$15 million.

5 That's not how this process works. They
6 have the burden of proof. They start from zero and they
7 work their way up from there. And it's very creative, I
8 mean their, what was it, 24 percent. They brought in
9 Becca Lewis, who is working on her Ph.D. They brought
10 in a grad student who read selected excerpts from other
11 people's publications and then cited a study that, if
12 she had taken the time to Google it, I asked her about
13 this, if she had taken the time to Google it she would
14 have found out that it's widely discredited. She
15 admitted that there was an article in *The Atlantic*
16 talking about this.

17 MR. FARRAR: Objection, Your Honor.

18 There's no evidence of widely discredited.

19 THE COURT: Okay, let's just move on. I
20 mean sustained, but let's move on.

21 MR. REYNAL: Ask yourself, is that number
22 reasonable? I mean, there's twelve of you. Do three of
23 you think Sandy Hook never happened? It's not
24 reasonable. It's not right. And think about what
25 \$150 million represents. A person making \$100,000 a

1 year would have to work for 1500 years to make
2 \$150 million. It would take 18 generations to make
3 \$150 million. And that's assuming you didn't spend
4 anything. Let's say you saved half your money.
5 3,000 years. 32 generations. This isn't a real number.

6 You know, I asked my son about
7 \$150 million and he said, you know, that would weigh
8 33,000 pounds. The equivalent of eight fully grown
9 elephants.

10 This is a hard part of my presentation,
11 and I took a long time thinking about this and I went
12 back and forth in my mind as to whether I would say
13 these words and show you what I'm going to show you.
14 And ultimately the reason I'm going to is because I
15 believe in the process. I am committed to what we're
16 doing right here, to twelve individuals, members of the
17 community, deciding a case based on the evidence and
18 holding people to their burden of proof.

19 "Question 1: Defamation. What amount of
20 money, if paid now in cash, would compensate Neil Heslin
21 for the damages that were proximately caused by Alex
22 Jones." You see you've got two dates up there, June 26,
23 2017, and July 20th, 2017. Those are the dates of the
24 defamatory publication. Have we even seen the July
25 20th, 2017, one?

1 Injury to reputation that he sustained in
2 the past. He didn't even see Alex Jones' show until
3 2018. \$1. Not proven. Not proven.

4 Injury to his reputation that Neil Heslin
5 will sustain in the future. This trial is being
6 broadcast to the world. I mean, the eyes that we have
7 around us. I think Neil Heslin can walk out of here
8 with his head held high. He's told the world his story,
9 Alex Jones has told the world his story. He sat on that
10 witness stand, Alex Jones did, and said, I believe those
11 children died. I am very sorry for the coverage that we
12 gave. There is no reputational harm going forward. Not
13 proven. Not proven.

14 Mental anguish that Neil Heslin sustained
15 in the past. Proximate cause. Is his mental anguish
16 the result of what Alex Jones did? Ask yourself, was he
17 a substantial factor? 18 hours and 43 minutes over six
18 years. That's an average of three hours per year. That
19 was the evidence they chose to bring in. Not proven.

20 I don't like this. But this is what the
21 law requires. And you'll have your chance if you want
22 to punish Alex Jones. You'll have your chance. Mental
23 anguish in reasonable probability that Neil Heslin will
24 sustain in the future.

25 I hope to God that this process has been

1 good. I hope to God that you've gotten some level of
2 closure, I really do. Both of you.

3 What's been proven. Ask yourself, what's
4 been proven caused by Alex Jones. You need actual
5 evidence.

6 I'm not going to belabor the point. These
7 are repetitive. Question number 2 relates to
8 intentional infliction of emotional distress from 2013
9 to 2018. First paragraph: He never even watched his
10 videos. That was the evidence we had from the witness
11 chair. How can we say that Alex Jones caused more than
12 minimal damage when Mr. Heslin didn't even see his
13 broadcast?

14 We don't have a single -- there was an --
15 I actually wrote this down. The Plaintiffs' attorneys
16 referred during their closing to harassment online. Do
17 you recall what Neil Heslin said about how much he likes
18 computers? I do. He said he doesn't even like his
19 cellphone. He is not a computer guy. What type of
20 online harassment are we talking about? Was that
21 proven? Is there actual evidence of that? No. How
22 about in the future?

23 Ask yourself, what are we doing here? I
24 said before, I hope there is closure, I hope this
25 sordid, sad story comes to an end in the next couple of

1 days, after you come back with your verdict on punitive
2 damages. But there's been no evidence that there will
3 be future mental anguish that was caused by Alex Jones.

4 Mr. Heslin is clearly very, very upset,
5 and I think that is genuine. But that is not what you
6 base a verdict on. That he is upset is Step one. You
7 need to be sure that this man caused it.

8 Scarlett Lewis, 2013 to 2018. No
9 contemporaneous records. She testified that she spent
10 at least I think \$50,000 in therapy. No contemporaneous
11 records. Four years that this litigation is pending
12 that there is every incentive to preserve everything and
13 we have an email from Wolfgang Halbig. I think overall
14 we had two emails, I think there was one from 2015 that
15 somehow made its way into InfoWars' possession
16 through one of those email dumps. 2019, one email.

17 They admitted it separately, they put two
18 different exhibit stickers on it but remember when I
19 asked about it, it was an attachment to a single email.
20 Not proven. Future mental anguish damages. Not proven.

21 I understand these numbers are different.
22 I understand your job is hard. And maybe I would even
23 understand if you said, you know what, I -- we feel like
24 we should give them some money for mental health
25 treatment so that they can continue. I don't think it's

1 supported by the evidence, but I can see that.

2 The evidence shows that plaintiffs have
3 been victimized four times: By Adam Lanza, by
4 politicians and members of the mainstream media, by the
5 truthers, and by those people who took their grief and
6 weaponized it. And I'm profoundly sorry for that. I
7 think it is a sad reflection on the state of our nation.

8 There's a couple of things that came out
9 during Mr. Farrar's closing argument that I think are
10 worth addressing because I don't want there to be any
11 confusion. Mr. Farrar made reference to Wolfgang
12 Halbig's disgusting Superbowl picture from, if you look
13 at it, Odd.TV. I elicited from several witnesses that
14 picture never made its way onto InfoWars. There is a
15 line in the videos where it says "Sandy Hook Children
16 Perform At Superbowl." It's in 2013. We had evidence
17 that they did perform at the Superbowl. And InfoWars
18 covered it.

19 Look a couple before there. I think you
20 have one that's "Sandy Hook survivor remembers fallen
21 hero." Again, they picked -- they got to pick the
22 evidence they brought in here. They picked the worse
23 things they could find. And if you take their video
24 clips and add them together, it's not 18 hours and
25 43 minutes. It's 90 minutes. 90 minutes over six years

1 they say caused all this harm.

2 Alex Jones may not be to your particular
3 taste, but millions of Americas tune in to be informed,
4 to be entertained, to have their voices heard.

5 Verdict, the word "verdict," it comes from
6 the latin *veredictum*. To speak the truth. Speak the
7 truth in your verdict because you're deciding for them
8 and for all Americans. Do you want to choose what you
9 get to to watch and listen to or do you want a
10 Plaintiffs' attorney to decide for you.

11 MR. FARRAR: Your Honor.

12 THE COURT: Sustained.

13 MR. REYNAL: There was a Lutheran minister
14 named Martin Niemöller in the 1930s, and he was
15 imprisoned in a concentration camp. And when he got out
16 he reflected on the fact that he had stood quiet. And
17 he said first they came for the communists and I said
18 I'm not a communist and didn't do anything. Then they
19 came for the trade unionists and I said, I'm not a trade
20 unionist. Then they came for the Jews and I said, I'm
21 not a Jew. And when they came for me, there was no one
22 left.

23 It's been an honor to talk to you, to
24 present our side. I look forward to addressing you
25 again on the issue of punitive damages. I have a lot to

1 say about what the right number is, and I look forward
2 to that opportunity.

3 Thank you.

4 THE COURT: All right. I think we
5 probably need another very short break. Remember all of
6 my instructions. Let's try to keep it to ten minutes,
7 please.

8 (*Brief recess.*)

9 THE COURT: All right, you may be seated.

10 All right. You ready?

11 MR. FARRAR: Yes, Your Honor.

12 THE COURT: All right, you may begin.

13 MR. FARRAR: Thanks, Your Honor.

14 We apparently are still living in this
15 Alex Jones conspiracy world where nothing as it seems;
16 that somehow I assume lawyers here weaponized Neil and
17 Scarlett to try to take down Alex Jones. We weaponized
18 them to take down Alex Jones. We're the deep state now
19 in this weird conspiracy theory where you guys were hand
20 picked by the clerk and the judge and part of the deep
21 state.

22 And this is a script, a literal script, as
23 they said on his show just a couple of days ago. That's
24 the conspiracy theory that's spinning in this room right
25 now, because that's the conspiracy theory that Alex

1 Jones wants the world to believe when you return a
2 verdict that you say, this is not what we do in society.
3 We don't tell lies about people, we don't hurt people.
4 That's the spin that he wants to put on it. That's what
5 just happened. That's what that closing was all about.

6 That we got -- that they lied to Dr. Lubit
7 and Mr. Crouch about their treatment? Mr. Crouch said
8 in 2013 Neil talked about conspiracy theories. About
9 people making money and profits off his dad -- or off
10 his son. They have called them liars for ten years to
11 make money and they sat here and called them liars to
12 save money. That's what just happened.

13 You appreciate the irony of that.
14 Anything to make money or to save money. Anything that
15 will stomp on absolutely anybody, and they stomped on
16 them and they have to pay for what they broke. That's
17 what they have to do.

18 The full videos, they're in evidence. I
19 don't understand why the defendants keep saying That. I
20 don't want to play you an hour or two hours of a full
21 video of all kinds of crazy conspiracy theories. We
22 focused on the Sandy Hook ones. That makes a whole lot
23 of sense because this case is about Sandy Hook. Why
24 would I play you his conspiracy theories about frogs
25 being gay. Why would I play that to you. That doesn't

1 make any sense. You don't want to see that. I don't
2 want to see that. They're in evidence, you can watch
3 them if you want.

4 More importantly, Mr. Reynal could have
5 played them at any point he wanted. He could have
6 played them to you. He did once. He played a
7 51-minute, the very first witness that he got up, he
8 played a full video. And I think he realized, that was
9 a horrible idea, that didn't help my client at all. It
10 just showed how many people he will stomp on to get more
11 clicks to buy more -- or sell more pills. That's all it
12 shows.

13 If you want to watch them, they're here,
14 all however many, I'll take his word for it, it was
15 18-something hours. So, we showed you, what it was, he
16 said we showed nine minutes? Ten minutes? Yeah, that's
17 the part. Those are the parts where he defames people
18 and he intentionally inflicts emotional distress on
19 people and it affects them.

20 And this idea, this idea that they didn't
21 watch them? Yeah, they don't watch his show. Big
22 shock.

23 What did Mr. Crouch talk -- he talked
24 about that. Finding out someone lies to you secondhand
25 is worse because you know what it means? The lie is

1 spreading. If someone comes to your face and just lies
2 to you and no one else hears it, it ain't great but it's
3 definitely not as bad as someone comes over to you and
4 says, hey, there's a guy on a national broadcast,
5 actually, take it back, worldwide broadcast lying about
6 you. That hurts. Because the lie is spreading by
7 definition, because you didn't hear it from the horse's
8 mouth. Definitionally spreading.

9 The number of times this idea of he's
10 apologized has come up is troubling to me. What is he
11 apologizing for? His lawyer just stood up and said \$8
12 should take care of their pain. The harm. So, he
13 clearly doesn't think he hurt these people. That's --
14 clearly he doesn't think he hurt them if you think it's
15 worth \$8.

16 He said there's -- they've been victimized
17 by four different people, and then he listed them off.
18 And I was like, well, surely the last one is Alex Jones,
19 right? You can't possibly list people that have
20 victimized Neil and Scarlett and not say the word Alex
21 Jones, the name Alex Jones. He did. What's he
22 apologizing for?

23 That's why an apology doesn't matter.
24 It's not real. It's never been real. It's fake. It
25 means absolutely nothing to Neil and Scarlett because

1 they've heard it, it means absolutely nothing to Alex
2 Jones because he doesn't mean it.

3 He made this excuse that he was tricked by
4 the truthers. He's the Pied Piper of the truthers.
5 They're following him wherever he goes and he spews
6 hate. That's what gets people riled up. That's what
7 gets people to their house, that's what gets bullet
8 holes through his car. That's what gets death threats.
9 This, I guess he took it down, this .16 percent of the
10 time, that's 99 -- so, he's saying 99.84 percent of the
11 time he is not defaming or inflicting emotional distress
12 on them. Congratulations.

13 If I was in Court in a criminal case and I
14 said, Judge, 99.8 percent of the time I don't steal
15 anything, nothing, that's not a defense, that's crazy.
16 Doesn't matter what he does all the other time, it
17 matters what he does when he's defaming people and when
18 he's intentionally inflicting emotional distress on
19 people. That's what matters. When he's spreading lies
20 about the parents of Sandy Hook, that's what matters.
21 That's why we brought you those videos.

22 Preexisting condition. I can't -- so, he
23 says they're not harmed, but if they are harmed it was
24 from something else. And he has this weird thing about
25 the bow and arrow and that nobody examined the arrows.

1 People examined the arrows. Dr. Lubit examined the
2 arrows. Mr. Crouch examined the arrows. And he said
3 they are broken, they are injured, and it came from Alex
4 Jones.

Nobody else came. They had the ability to call somebody on the stand and say, no, no, no, hold up, hold up. Hold up. They're not either hurt or their damage is clearly from the loss of Jesse, not the lies spread about him in a worldwide forum. 19 hours or 18 hours of lies spread in a worldwide forum. That's not what hurt them. They didn't do that, there's a reason. There's no psychiatrist or psychotherapist in the world that would say that.

14 They have separate and distinct injuries,
15 there's no question. And you know what the easy way to
16 know it? Fear. Jesse's murder didn't cause them fear,
17 it caused them unimaginable grief that they started to
18 recover from. Fear is caused by Alex Jones and him
19 weaponize -- talking about weaponizing, him weaponizing
20 mentally unstable people to go after them. Fear tells
21 you there's two separate and distinct injuries.

Just as a quick aside, the July 20th, 2017, video they said they never played? It's because they destroyed it. That's why we never played it. They didn't tell you that.

1 What is \$150 million? Me and Mr. Reynal
2 talked about that. Yeah, about six months of revenue at
3 InfoWars, that's what it means.

4 Miss Karpova testified and she said one
5 thing that was interesting. She said words are Alex
6 Jones' weapon. This verdict is your weapon to right a
7 serious wrong that happened to Neil and Scarlett.
8 Mr. Reynal said twice I hope this verdict you can look
9 back in 20 years and be proud of. Yeah, so do I. I
10 hope you look back at this verdict for years and you're
11 proud of it. So, go do it.

12 THE COURT: All right. Thank you.

13 In a moment you will retire to the jury
14 room to select your presiding juror who will read the
15 charge and then begin your deliberations. We will bring
16 you the original charge, which is the one that should be
17 signed by the presiding juror if the verdict is
18 unanimous or signed by the ten or eleven of you if it is
19 not unanimous.

20 We will also bring all of the exhibits to
21 you in a few minutes. You should not be concerned if
22 the exhibits are not in sequential order; and if there
23 are any redactions, don't let that worry you, either.
24 Those are decisions that have been made in the admission
25 of that evidence.

1 After you select your presiding juror, I
2 need you to let my Judicial Executive Assistant know who
3 that is.

4 Now, I want to be really clear, you are
5 finally going to be able to discuss what you have heard
6 in this room. You must all twelve be in the room any
7 time there is any deliberations or discussion. So, if
8 somebody needs a break, everybody takes a break. You
9 are free to work all day long, including through lunch.
10 I think that's been our routine so far so we'll probably
11 continue it, but we can talking about that. If you take
12 a long break do let us know, so, say more than 15
13 minutes might affect what we do out here.

14 Anything else, any questions about that
15 part?

16 It's 4:36. My guess is you're not going
17 to get much beyond presiding juror today, and that's
18 fine. You can start as early as 8:30 tomorrow. All
19 right? So you're excused and, when you're all together,
20 you can talking about the case. Thank you.

21 *(Jury retired for deliberations)*

22 At this time I do need one counsel from
23 each side to come up and verify the exhibits for me,
24 please. As a reminder, I'll need you to state on the
25 record that you examined the exhibits and that those are

1 being taken to those jury room are all admitted, should
2 be taken to the jury room, any necessary redactions have
3 been made, and otherwise any objections will be deemed
4 waived.

(Off the record.)

THE COURT: Let's go back on the record.

7 Okay. So, both sides have had an
8 opportunity to examine all of the exhibits, so we'll
9 start with Mr. Bankston. Do you verify that you have
10 examined the exhibits, those that are being taken to the
11 jury room are all admitted, should be taken to the jury
12 room, all necessary redactions have been made.

MR. BANKSTON: I agree, Your Honor.

14 THE COURT: All right. Same question,
15 Mr. Reynal.

16 MR. REYNAL: I agree, Your Honor.

17 THE COURT: All right. Then we can go
18 back off the record.

(End of proceedings.)

REPORTER'S CERTIFICATE

2 THE STATE OF TEXAS)

3 COUNTY OF TRAVIS)

I, Alicia DuBois, Official Court Reporter
in and for the 459th District Court of Travis County,
State of Texas, do hereby certify that the above and
foregoing contains a true and correct transcription of
all portions of evidence and other proceedings requested
in writing by counsel for the parties to be included in
this volume of the Reporter's Record, in the
above-styled and numbered cause, all of which occurred
in open Court or in chambers and were reported by me.

13 I further certify that this Reporter's
14 Record of the Proceedings truly and correctly reflects
15 the exhibits, if any, offered in evidence by the
16 respective parties.

17 WITNESS MY OFFICIAL HAND this, the 1st day
18 of October, 2022.

/s/ Alicia DuBois
Alicia DuBois, CSR
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